

APPLICATION FOR ZONING EXCEPTION

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**

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|----------------------------|
| Application No. E. |
| 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: |
|--------------------|----------------|--------------------------------|---|--|

Exception Sought:

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: _____ _____ | 7. Between Streets: _____ |
| Real Estate Number: _____ | and _____ |
| Date lot was recorded: _____ | |

8. Current Property Use:

9. Exception Sought:

In whose name will the exception be granted? _____
Pursuant to Section 656.136(c), a zoning exception shall be transferable and run with the land. When the use requires licensure or other approvals by the State or any other governmental entity, such as a liquor license approval or approval for day care facilities, the zoning exception granted in connection with such use shall not be transferable and shall be granted to the applicant or the State license holder.

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

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

Section 656.101(i), Ordinance Code, defines an exception as *"a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare."*

Section 656.131(c), Ordinance Code, provides that, with respect to action upon Applications for Zoning Exceptions, the Planning Commission may grant the exception if it finds from a preponderance of the evidence of record presented at the public hearing that the proposed use meets, to the extent applicable, the following standards and criteria:

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 exception and to meet the criteria set forth below may result in a denial).*

(i) Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;

(ii) Will be compatible with the existing contiguous uses or zoning and compatible with the general character of the area considering population, density, design, scale, and orientation of the structures to the area, property values and existing similar uses;

(iii) Will not have an environmental impact inconsistent with the health, safety and welfare of the community;

(iv) Will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, and will not result in the generation or creation of traffic inconsistent with health, safety and welfare of the community;

(v) Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;

(vi) Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities taking into account existing uses or zoning in the vicinity;

(vii) Will not overburden existing public services and facilities;

(viii) Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services; and

(ix) Will be consistent with the definition of an exception, the standards and criteria of the zoning classification (or which such use is proposed to be located and all other requirements for such particular use set for elsewhere in the Zoning Code (Chapter 656, Ordinance Code) or as otherwise adopted by the Planning Commission.

12. 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

___ Department of Children and Families Services (DCFS) letter and Site Plan approved by the City Traffic Engineer. (Day care uses only)

***** 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..... \$250.00 | \$7.00 PER ADDRESSEE |
| NON-RESIDENTIAL DISTRICTS..... \$500.00 | ADVERTISING COSTS: |
| | BILLED TO OWNER /AGENT |

***** 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

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

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 - Current Property Use

Please indicate the current use of the property (*i.e. single family, commercial office, undeveloped land*)

Item 9 -Land Area (Acres) and Utility Services Provider

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

Item 10 –Exception Sought and transferability. Enter the sought request as it appears in the Zoning Code. If more than one exception is requested, list each request separately. Also, state whether the exception is to be transferable, and identify the entity to which the exception will be granted. If the exception is granted personal, and is not transferable, the use is valid only for the period that the named individual owns the property, as long as other provisions related to commencement are met. If however, a exception is granted transferable, the use attached to the property and the rights granted therein automatically transfer with the property upon sale of the same.

***Note- Applicants for day care centers must contact the Department of Children and Family Services to assure that DCFS provides a letter of determination to the Planning and Development Department.**

Item 11 - Provide answers to questions regarding exception standards and criteria.

Special attention should be given to answers provided here. These questions represent the criteria used by the Planning Commission to grant an exception, but only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, each of the listed standards and criteria. Failure by the applicant to adequately substantiate the need for the exception and to meet the criteria set forth may result in a denial.

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.)
- ___ Legal Description-(either lot and block or metes and bounds)
- ___ Site Plan

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*)
- D. Loading and unloading area, if applicable, with turn around area and dimensions
- E. Landscape areas and dimensions
- 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
- L. Day care uses must include a Department of Children and Families Services (DCFS) letter.
- M. Day care uses must include stamped approval on the site plan from the City of Jacksonville Traffic Engineer (located in the Ed Ball Building, 214 North Hogan Street, 2nd Floor).

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 by the Planning Commission.

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 Department.

NOTE: There is a 21-day appeal period after an application is approved 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