

# APPLICATION FOR SIGN WAIVER

Ordinance Number:
Application Number:
Notice of Violation:

This application must be **typed or printed in black** and submitted in person with **three (3) other copies** for a total of **four (4) copies**.

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

FOR INFORMATION REGARDING THIS FORM, CALL: **(904) 630-1902.**

## **TO BE COMPLETED BY PLANNING AND DEVELOPMENT DEPARTMENT 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:
6. LUZ Public Hearing Date: ____/____/____      7. City Council Public Hearing Date: ____/____/____				
8. Neighborhood Association (If Applicable): _____				
9. Number of Signs To Be Posted: _____				

## **TO BE COMPLETED BY APPLICANT**

10. Complete Property Address: _____ _____ _____	13. Between Streets: _____ and _____
11. Real Estate Number: _____	
12. Date lot was recorded: _____	
14. Application being sought:	
<input type="checkbox"/> Increase maximum height of sign from _____ to _____ ft. (Not to Exceed 20% or 5 ft. in height, whichever is less.).	
<input type="checkbox"/> Increase maximum size of sign from _____ SF to _____ SF (Maximum request 25% or 10 Sq. Ft., whichever is less).	
<input type="checkbox"/> Increase number of signs from _____ to _____ (Not to exceed maximum square feet allowed).	
<input type="checkbox"/> Allow for illumination or change from _____ external to _____ internal lighting:	
<input type="checkbox"/> Reduce minimum set back from _____ ft. to _____ ft. (Less than 1 ft. may be granted administratively).	
Note: No waiver shall be granted allowing an increase in the size, height or number of directional signs. Additionally, no Waiver shall be granted for a sign in a Planned Unit Development (PUD) Zoning District.	

15. In whose name will the waiver be granted? \_\_\_\_\_

Is transferability being requested? Yes: \_\_\_\_ No: \_\_\_\_

16. Land Area (1/100 Acres):

17. UTILITY SERVICES PROVIDER

Well: City Water:

Septic Tank: City Sewer:

**\*\* NOTICE TO OWNER/AGENT/APPLICANT \*\***

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1310 of the Ordinance Code defines a sign as *“a painting, structure or device which is placed, erected, constructed or maintained on or in the ground, or on or outside of an enclosed building or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of displaying, information, advertisement or attraction of the attention of persons, including posters, pictures, pictorial or reading matter and a letter, word, model, device or representation used in the nature of an advertisement, announcement, attraction or direction.”*

Section 656.1310(a)(i) through (x), Ordinance Code, provides that, with respect to action upon Applications for Sign Waivers, the City Council shall grant a waiver only if substantial competent evidence exists to support a positive finding based on each of the following criteria as applicable:

18. 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. Will the effect of the sign waiver be compatible with the existing contiguous signage or zoning and consistent with the general character of the area considering population, density, scale, and orientation of the structures in the area?**
- 2. Would the result detract from the specific intent of the zoning ordinance by promoting the continued existence of nonconforming signs that exist in the vicinity?**
- 3. Could the effect of the proposed waiver diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, and could such waiver substantially interfere with or injure the rights of others whose property would be affected by the same.**
- 4. Would the waiver have a detrimental effect on vehicular traffic or parking conditions, or result in the creation of objectionable or excessive light, glare, shadows or other effects, taking into account existing uses and zoning in the vicinity?**
- 5. Is the proposed waiver detrimental to the public health, safety or welfare, or could such waiver result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?**
- 6. Does the subject property exhibit specific physical limitations or characteristics, which would be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?**
- 7. Is the request based exclusively upon a desire to reduce the costs associated with compliance and is the request the minimum necessary to obtain a reasonable communication of one’s message?**

8. Is the request the result of a violation that has existed for a considerable length of time without receiving a citation and if so, is the violation that exists a result of construction that occurred prior to the applicants acquiring the property, not being a direct result of the actions of the current owner?
9. Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?
10. Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?

19. 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 ½ 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.
- 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.
- Photographs of sign structure showing nonconforming nature and physical impediments to compliance
- If waiver is based on economic hardship, applicant must submit the following:
  - Two estimates from licensed contractors stating the cost of bringing the sign structure into compliance; and
  - Any other information the applicant wished to have considered in connection to the waiver request.
- Proof of Ownership

(Note: the Council may, as a condition of the waiver, specify a time period within which the sign structure shall be required to conform to the requirements of the City's sign regulations.)

### NOTICE TO OWNER / AGENT / APPLICANT

**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 City Council. You (or your 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. The notice(s) must remain posted and maintained until a final determination has been made on the application.

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**

**COMMERCIAL OR INDUSTRIAL DISTRICTS..... \$500.00**  
**\*\$1,000.00 AFTER VIOLATIONS**  
**RESIDENTIAL OR MISC. ZONING DISTRICTS.....\$250.00**  
**\*\$500.00 AFTER VIOLATIONS**

**NOTIFICATION COSTS: \$7.00 PER ADDRESSEE**  
**ADVERTISING COSTS: BILLED TO OWNER /AGENT /**  
**APPLICANT**

**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:**

<b>Name and address of Owner(s)</b>	<b>Name and address of Authorized Agent/ Applicant</b>
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Daytime Telephone: _____	Daytime Telephone: _____
Fax Number: _____	Fax Number: _____
E-mail Address: _____	E-mail Address: _____
_____ <b>SIGNATURE OF OWNER(S)</b>	_____ <b>SIGNATURE OF AUTHORIZED AGENT / APPLICANT</b>

The Agent / Applicant letter of authorization must be attached if application is not signed by the owner of record.

# EXHIBIT A

## Property Ownership Affidavit

Date: \_\_\_\_\_

### City of Jacksonville

City Council / Planning and Development Department

117 West Duval Street, 4<sup>th</sup> Floor / 128 East Forsyth Street, Florida Theatre Building, Suite 700

Jacksonville, Florida 32202

Re: Ownership Certification

Gentleman:

I, \_\_\_\_\_ hereby certify that I am the Owner of the property described in the attached legal description, **Exhibit 1** in connection with filing application(s) for \_\_\_\_\_, submitted to the Jacksonville Planning and Development Department.

\_\_\_\_\_  
(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)

# EXHIBIT B

## Agent Authorization

Date: \_\_\_\_\_

City of Jacksonville  
City Council / Planning and Development Department  
117 West Duval Street, 4<sup>th</sup> 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)

# ORDINANCE \_\_\_\_\_

## Legal Description

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# **Instructions For Filing Sign Waiver**

An Application for Sign Waiver is filed with the Planning and Development Department, Current Planning Section, Florida Theatre Building, 128 East Forsyth Street, Suite 700, Jacksonville, Florida 32202, (904) 630-1902. 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 9***

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

## ***Item 10 - Complete Property Address***

Enter the physical address of the property. If the property has not been addressed, please inform the Current Planning Section of this.

## ***Item 11 – Real Estate Number***

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, or either the Property Appraiser's portion of the City's website ([www.coj.net](http://www.coj.net)) or through Jaxgis ([www.maps.coj.net/jaxgis](http://www.maps.coj.net/jaxgis)).

## ***Item 12 – Date Lot was Recorded***

This is the date that the lot was officially recorded as shown on the original deed for the parcel.

## ***Item 13 - Intersecting Streets***

Provide the names of the two streets closest to the 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 14 – Waiver Sought***

Check the box corresponding to the sought request. If more than one waiver is requested, check all that applies and provide appropriate numbers.

## ***Item 15 - Name that the waiver will be granted to and Transferability.***

The applicant must provide the name of the person for whom the waiver is to be granted. All Sign Waivers are transferable unless otherwise provided for in the Final Order granting the waiver. Transferability refers to the rights granted through the Sign Waiver process and the transfer of those rights with the sale of the property. If the waiver is granted without transferability, the waiver is personal, and any waiver 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 waiver to another individual.

## ***Item 16 - Land Area (Acres) and Utility Services Provider***

The total land area of the proposed site within 1/100 of an acre. (e.g., 1.01 acres)

## ***Item 17 – Utility Services Provider***

Identify type of services (i.e., well, septic system, etc.)

## ***Item 18 – Criteria***

There are ten (10) criteria used by the City Council to either approve, approve with conditions, or deny an Application for Sign Waiver. The owner / agent / applicant must provide answers, and be prepared to explain how the specific request meets all applicable criteria, thereby providing substantial competent evidence to approve the proposed waiver.



***Item 19 – Attachments***

An Application for Sign Waiver 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) The legal description for the property is to be provided on Exhibit 1 to the application. The legal description must be typed and legible.
- Site Plan- Drawn to Scale
- Letter of Authorization for Agent / Applicant is required if application is made by any person other than the property owner. This must be included on the prescribed Exhibit B template included with the application.
- Photographs of sign structure showing nonconforming nature and physical impediments to compliance.
- If waiver is based on economic hardship, applicant must submit the following: Two estimates from licensed contractors stating the cost of bringing the sign structure into compliance; and
- Proof of Ownership: i.e., deed; Exhibit A – Ownership Affidavit must be included with the application.

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

- A. Existing and proposed signage
- B. Property Dimensions and total land area
- C. Buildings (including dimensions, square footage, and total lot coverage area)
- D. Parking spaces and dimensions (including handicap)
- E. Loading and unloading area, if applicable, with turn around area and dimensions
- F. Landscape areas and dimensions
- G. Ingress and egress (driveways, alleys and easements)
- H. Adjacent streets and right-of-way
- I. North arrow, map scale, and date of drawing
- J. Building setbacks per Zoning Code
- K. Adjacent zoning districts and property uses
- L. Other signage in vicinity (conforming and nonconforming)

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 Current Planning Section.

When your completed application is submitted to the Planning and Development Department, Current Planning Division, Florida Theatre Building, 128 East Forsyth Street, Suite 700, Jacksonville, Florida 32202, (904) 630-1902, a list of property owners (addressee) within the 350 feet radius of the property will be prepared by the Division.