

Date Submitted:
Date Filed:

Application Number:
Public Hearing:

Zoning Application for an Administrative Deviation

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:
Deviation 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. In whose name will the Deviation be granted:	
8. Is transferability requested? <i>If approved, the administrative deviation is transferred with the property.</i> Yes <input type="checkbox"/> No <input type="checkbox"/>	

9. 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 Off-street Parking Spaces from _____ to _____.
- ☐ Increase the Maximum Number of Off-street Parking Spaces from _____ to _____.
- ☐ Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-1 zoning district from a residential zoning district from a minimum of 15 feet to _____.
- ☐ Reduce setback for any improvements other than landscaping, visual screening or retention in the CCG-2 zoning district from a residential zoning district from a minimum of 25 feet to _____.
- ☐ Decrease minimum number of loading spaces from _____ required to _____ loading spaces.
- ☐ Reduce the dumpster setback along _____ from the required 5 feet to _____ feet.
- ☐ Decrease the minimum number of bicycle parking spaces from _____ required to _____ spaces.
- ☐ Reduce the minimum width of drive from _____ feet required to _____ feet.
- ☐ Reduce vehicle use area interior landscape from _____ sq. ft. required to _____ sq. ft.
- ☐ Increase the distance from the vehicle use area to the nearest tree from 55 feet maximum to _____ provided as indicated on the Landscape Site Plan dated _____.
- ☐ Reduce the number of terminal island trees from _____ terminal islands required to _____ terminal islands as indicated on the Landscape Site Plan dated _____.
- ☐ Reduce the landscape buffer between vehicle use area along _____ from 10 feet per linear feet of frontage and 5 feet minimum width required to _____ feet per linear feet of frontage and _____ feet minimum width.
- ☐ Reduce the number of shrubs along _____ from _____ required to _____ shrubs and relocate as indicated on the Landscape Site Plan dated _____.
- ☐ Reduce the number of trees along _____ from _____ required to _____ trees and relocate as indicated on the Landscape Site Plan dated _____.
- ☐ Reduce the perimeter landscape buffer area between vehicle use area and abutting property along the north / east / south / west ^(Circle) property boundary from 5 feet minimum width required to _____ feet.
- ☐ Reduce the number of trees along the north / east / south / west ^(Circle) property boundary from _____ required to _____ trees and relocate as indicated on the Landscape Site Plan dated _____.

(Circle)

☐ Increase the maximum / Decrease the minimum width of the driveway access from _____ from 24 / 36 / 48 feet required to _____ feet.

(Circle)

☐ Increase the maximum / Decrease the minimum width of the driveway access to adjoining property along the north / east / south / west property boundary from 24 feet required to _____ feet.

(Circle)

☐ Reduce the uncomplimentary land use buffer width along the north / east / south / west property boundary from 10 feet wide required to _____ feet wide.

(Circle)

☐ Reduce the uncomplimentary land use buffer trees along the north / east / south / west property boundary from _____ required to _____ trees.

(Circle)

☐ Reduce the uncomplimentary land use buffer visual screen along the north / east / south / west property boundary from 6 feet tall and 85 % opaque required to _____ feet tall and _____%.

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
10. Name:	11. E-mail:
12. Address (including city, state, zip):	13. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
14. Name:	15. E-mail:
16. Address (including city, state, zip):	17. Preferred Telephone:

CRITERIA

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 Section 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:

- I. The need for the proposed deviation arises out of the physical surroundings, shape, topographic condition or other physical or environmental conditions that are limited to the subject property alone; or this issue is common to numerous sites.***
 - 1. There are practical or economic difficulties in carrying out the strict letter of the regulation;*
 - 2. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result that is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees.*
 - 3. The proposed deviation will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation;*
 - 4. The proposed deviation 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;*
 - 5. The proposed deviation has been recommended by a City landscape architect, if the deviation is to reduce required landscaping; and*
 - 6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.*

If the deviation is proposed to correct an existing violation, the Zoning Administrator shall also consider the following:

- (i) Whether the violation was created by the applicant with the intent to violate the provisions of this Zoning Code;*
- (ii) The length of time the violation has existed without receiving a citation; and*
- (iii) Whether the violation occurred as a result of construction which occurred prior to the acquisition of the property by the owner.*

18. Given the above definition of an “administrative deviation” and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the deviation 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 deviation and to meet the criteria set forth above 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>.
- ☐ Letter from the Department of Children and Family Services (DCFS) – **day care uses only**
- ☐ Letter from the applicable Home Owner's Association stating that the 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**
- ☐ Elevations are required with **height increase requests** and must be drawn to scale

FILING FEES

*Applications filed to correct existing zoning violations are subject to a double fee.

Base Fee

Residential Districts: \$966.00

Non-residential Districts: \$952.00

Public Notices

\$7.00 per Addressee

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. 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 this 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: _____

**An agent authorization letter is required if the application is made by any person other than the property owner.*

Owner(s)

Print name: _____

Signature: _____

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 Application for Administrative Deviation

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 include all required attachments, must be submitted.

APPLICATION FORM INSTRUCTIONS

The following is a step by step guide to help persons interested in applying for an **Administrative Deviation**. 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 utilities will be provided by JEA, private well and septic tank, or another provider.

Items 7-8

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 business. Also state if you would like the deviation to be transferred with the property.

PLANNING AND DEVELOPMENT DEPARTMENT

Instructions for Completing a Zoning Application for Administrative Deviation

Item 9

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

- **OWNER'S INFORMATION BOX**

Items 10-13

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

- **APPLICANT'S INFORMATION BOX**

Items 14-17

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 18

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
- Letter from the applicable Home Owner's Association stating that the 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. Applicable to residential uses only.
- 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 Application for Administrative Deviation

- Letter from the Florida Department of Children and Family Services (DCFS). Applicable to day care uses only.
- Elevations are required with height increase requests and must be drawn to scale.

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 by the Planning and Development Department.

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.
- 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.

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

PLANNING AND DEVELOPMENT DEPARTMENT

214 N. Hogan Street, Suite 300 | Jacksonville, FL 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net

last update: 1/09/17

Legal Description
Exhibit 1
June 30, 2021

Property Ownership Affidavit – Limited Liability Company (LLC)

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: _____ RE#(s): _____

To Whom it May Concern:

I _____, as _____ of _____,
a Limited Liability Company organized under the laws of the state of _____, hereby certify
that said LLC is the Owner of the property described in Exhibit 1 in connection with filing application(s)
for _____ submitted to the Jacksonville Planning and Development
Department.

(signature) _____

(print name) _____

Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of [] physical
presence or [] online notarization, this _____ day of _____ 20____, by
_____, as _____, of
_____, a _____ corporation, who is personally
known to me or who has produced _____ as identification and who
took an oath.

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____

Property Ownership Affidavit - Corporation

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: _____ RE#(s): _____

To Whom it May Concern:

I _____, as _____ of
_____ corporation, hereby certify that said
corporation is the Owner of the property described in Exhibit 1 in connection with filing application(s)
for _____ submitted to the Jacksonville Planning and Development Department.

(signature) _____

(print name) _____

Please provide documentation illustrating that signatory is an authorized representative of the corporation; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of [] physical presence
or [] online notarization, this _____ day of _____ 20____, by
_____, as _____, of
_____, a _____ corporation, who is personally
known to me or who has produced _____ as identification and who
took an oath.

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____

Property Ownership Affidavit - Individual

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: RE#(s):

To Whom it May Concern:

I, _____ hereby certify that _____
is the Owner of the property described in Exhibit 1 in connection with filing application(s) for
_____ submitted to the
Jacksonville Planning and Development Department.

By _____

Print Name: _____

STATE OF FLORIDA COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of ☐ physical presence or
☐ online notarization, this _____ day of _____ 20____, by
_____, as _____, of
_____, a _____ corporation, who is
personally known to me or who has produced _____ as identification
and who took an oath.

—

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____

Agent Authorization – Limited Liability Company (LLC)

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: _____ RE#(s): _____

To Whom It May Concern:

You are hereby advised that _____, as _____ of _____, hereby certify that the _____ is the Owner of the property described in Exhibit 1. 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 as submitted to the Jacksonville Planning and Development Department.

(signature) _____

(print name) _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____ 20____, by _____, as _____, of _____, a _____ corporation, who is personally known to me or who has produced _____ as identification and who took an oath.

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____

Agent Authorization - Corporation

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: _____ RE#(s): _____

To Whom it May Concern:

You are hereby advised that _____, as _____ of
_____, a corporation organized under the laws of the state of _____,
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 as submitted to the Jacksonville Planning and Development Department.

(signature) _____

(print name) _____

STATE OF FLORIDA COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____ 20____, by _____, as
_____, of _____, a _____ corporation,
who is personally known to me or who has produced _____ as identification and
who took an oath.

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____

Agent Authorization – Individual

Date: _____

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: _____

RE#(s): _____

To Whom it May Concern:

You are hereby advised that _____, as
_____ of _____,
hereby certify that said undersigned is the Owner of the property described in Exhibit 1. 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 as submitted to the
Jacksonville Planning and Development Department.

By: _____

Print Name: _____

STATE OF FLORIDA COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me by means of ☐ physical presence or ☐ online
notarization, this _____ day of _____, 20____, by
_____, who is personally known to me or who has produced
_____ as identification and who took an oath.

(Signature of NOTARY PUBLIC)

(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: _____