

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR SIGN WAIVER SW-19-07 (ORDINANCE 2019-0638)**

**OCTOBER 15, 2019**

*Location:* 1338 Dunn Avenue (SR 104)

*Real Estate Number:* 042668 0060

*Waiver Sought:* Reduce minimum sign setback from 10 feet to 1 foot

*Current Zoning District:* Community Commercial General-1 (CCG-1)

*Current Land Use Category:* Community General Commercial (CGC)

*Planning District:* 6 - North

*Applicant /Agent:* Ali Abu Fouz  
4626 Swilcan Bridge Lane S  
Jacksonville, FL 32224

*Owner:* Ali Abu Fouz  
4626 Swilcan Bridge Lane S  
Jacksonville, FL 32224

*Staff Recommendation:* **APPROVE**

**GENERAL INFORMATION**

Application for Sign Waiver **Ordinance 2019-0638 (SW-19-07)** seeks to permit a reduction in the required minimum setback from North Property Line for an existing pylon sign from 10 feet to 1 foot. The site is within a CCG-1 zoning district and has a CGC functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

The 0.68± acre subject property is located along Dunn Avenue and contains a 1,980 square foot one-story building constructed in 1984, formerly the Chicken Coop Restaurant. The Applicant seeks to make cosmetic improvements to the existing pylon sign while reducing the minimum setback requirement along Dunn Avenue.

**NOTICE TO OWNER / AGENT**

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, or 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.”

**STANDARDS, CRITERIA AND FINDINGS**

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

- (i) *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?*

Yes. The effect of the sign waiver will be compatible with the existing contiguous zoning and general character of the area in that nearby free-standing signs are a similar distance from the right-of-way. The neighboring properties to the North and West (**1403 and 1440 Dunn Avenue**) both have existing pole signs that encroach into the setback requirements for CCG-1 Zoning District. Many of the properties along Dunn Avenue were originally constructed in the 1980s and their signs considered legally non-conforming. This request for a setback reduction would not create signage out of character for the general area.

- (ii) *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?*

No. The zoning ordinance intends to have signage that does not interfere with visibility but promotes signage that is consistent with that found in the surrounding area. The Applicant will be refurbishing an existing pylon sign that faces along Dunn Avenue. Given the location of the sign in relationship to the established developed pattern of the area, Staff has determined that the requested reduction in setback distance does not detract from the specific intent of the zoning ordinance as it relates to compatibility.

- (iii) *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?*

No. The effect of the proposed sign waiver is unlikely to diminish property values in, or negatively alter the aesthetic character of the area surrounding the site, in that the sign is already existing and is located the same distance from the public right of way similar to other properties constructed around the same time along Dunn Avenue.

- (iv) *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?*

No. The waiver is unlikely to have a detrimental effect on vehicular traffic or parking conditions as the sign has been existing for several years with no issues. The applicant intends to refurbish the existing sign to meet the needs of the new use of the property. It is therefore also unlikely that the proposed sign will create objectionable light, glare or other effects added to what already exists in the area.

- (v) *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?*

No. The proposed waiver is unlikely to be detrimental to the public health, safety, or welfare in that similar signage already exists along Dunn Avenue and has not caused issues previously.

- (vi) *Does the subject property exhibit specific physical limitations or characteristics, which could be unique to the site and which would make imposition of the strict letter of the regulation unduly burdensome?*

Yes. The subject property does exhibit specific physical limitations that limit the setback of the sign location from the road. The applicant intends to restore the existing pylon sign on the property.

- (vii) *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?*

No. The request is not based on a desire to reduce the costs associated with compliance.

- (viii) *Is the request the result of 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?*

No. The request is not the result of any cited violations. However, there were multiple citations for the subject property concerning the pylon sign. All of these citations were incurred under the previous owner and are not a direct result of the actions of the current

owner.

- (ix) *Does the request accomplish a compelling public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?*

Yes. The request will further the public interest as it recognizes the original sign location as well as assures that the safety and interests of the public and the property owner are protected. Granting this waiver will allow the owner to repair and utilize the current sign on site.

- (x) *Would strict compliance with the regulation create a substantial financial burden when considering the cost of compliance?*

Yes. While the goal of the Zoning Code is not to promote the continued existence of nonconforming signs, maintaining a sign in the specified location significantly outweighs the benefits of complying with the strict letter. A substantial burden would be imposed to relocate the sign within the required setbacks.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **September 17, 2019** by the Planning and Development Department, the required Notice of Public Hearing signs **was** posted.



Source: Planning and Development Department, 9/17/2019

### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application Sign Waiver SW-19-07 (Ordinance 2019-0638) be **APPROVED**.



Source: Planning and Development Department, 9/17/2019

**Aerial View**



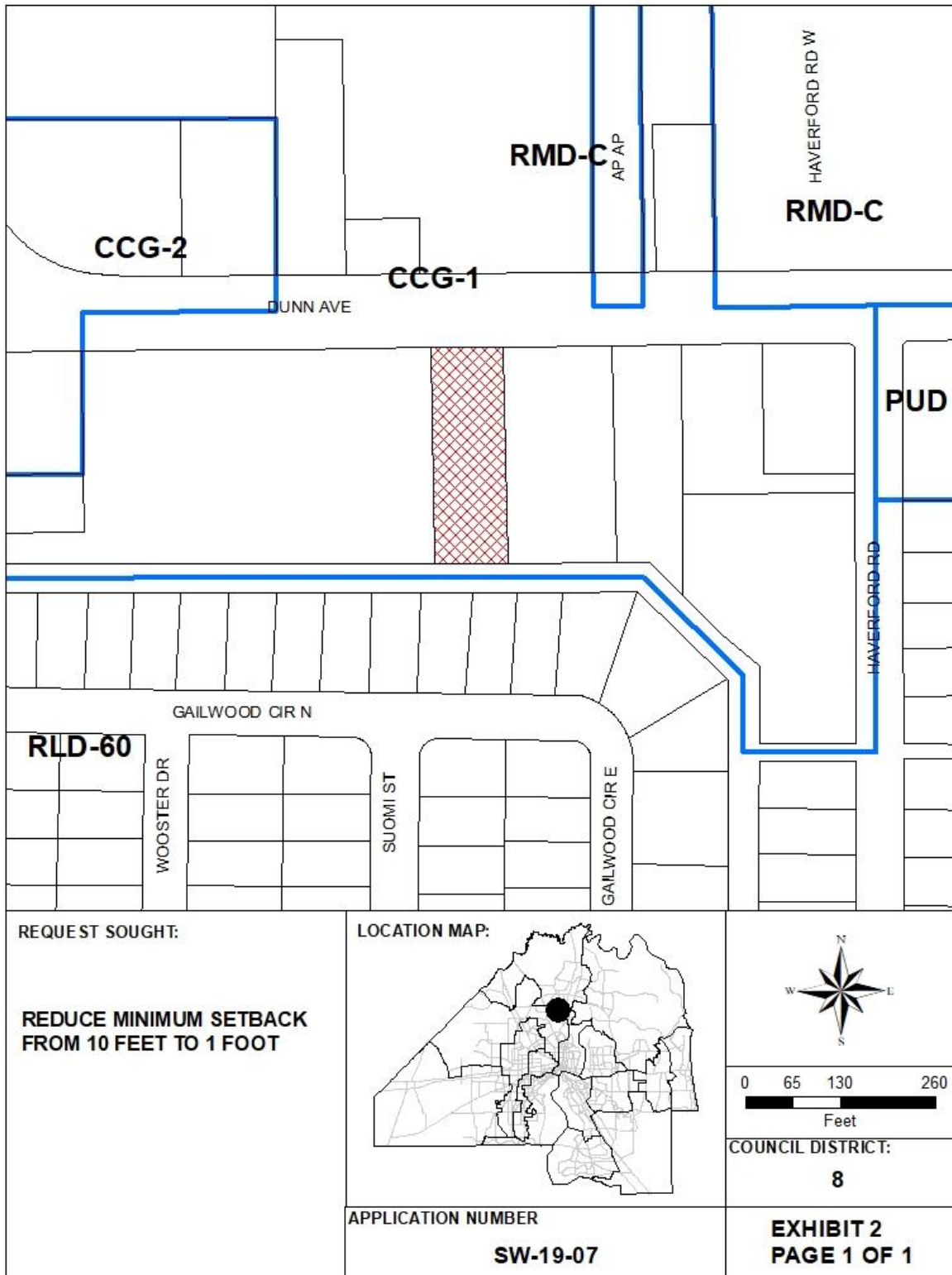
Source: Planning and Development Department, 9/17/2019

**View of subject property**



*Source: Planning and Development Department, 9/17/2019*

**View of pylon sign in proximity of Dunn Avenue.**



Date Submitted:	8/12/2019
Date Filed:	8/14/2019

Application Number:	SW-19-07
Public Hearing:	

**Application for Sign Waiver**  
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:	CC61	Current Land Use Category:	CGC
Council District:	8	Planning District:	6
Previous Zoning Applications Filed (provide application numbers): none			
Applicable Section of Ordinance Code: 656.1303			
Notice of Violation(s): -			
Neighborhood Associations: The Eden Group Inc., Trout River JAX			
Overlay: none			
LUZ Public Hearing Date:		City Council Public Hearing Date:	
Number of Signs to Post:	1	Amount of Fee:	\$ 1397.
		Zoning Asst. Initials:	CJA

PROPERTY INFORMATION	
1. Complete Property Address: 1338 Dunn Avenue Jacksonville, FL 32218	2. Real Estate Number: 042668-0060
3. Land Area (Acres): 0.69 Acres	4. Date Lot was Recorded: 3/13/2019
5. Property Located Between Streets: Biscayne Blvd. Haverford Road	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>



**7. Waiver Sought:**

Increase maximum height of sign from \_\_\_\_\_ to \_\_\_\_\_ feet (maximum request 20% or 5 ft. in height, whichever is less). \*Note – Per Section 656.1310, no waiver shall be granted which would permit a sign in excess of 40 feet in height in any zoning district.

Increase maximum size of sign from \_\_\_\_\_ sq. ft. to \_\_\_\_\_ sq. ft. (maximum request 25% or 10 sq. ft., whichever is less)

Increase number of signs from \_\_\_\_\_ to \_\_\_\_\_ (not to exceed maximum square feet allowed)

Allow for illumination or change from \_\_\_\_\_ external to \_\_\_\_\_ internal lighting

Reduce minimum setback from 10 feet to one feet (less than 1 ft. may be granted administratively)

**8. In whose name will the Waiver be granted?** Abaco

**9. Is transferability requested? If approved, the waiver is transferred with the property.**

Yes

No

**OWNER'S INFORMATION (please attach separate sheet if more than one owner)**

10. Name: <u>Ali Abu Fouz</u>	11. E-mail: <u>al@abacoairexperts.com</u>
12. Address (including city, state, zip): <u>4626 Swilcan Bridge Lane S Jacksonville, FL 32224</u>	13. Preferred Telephone: <u>904-502-4014</u>

**APPLICANT'S INFORMATION (if different from owner)**

14. Name:	15. E-mail:
16. Address (including city, state, zip):	17. Preferred Telephone:

## CRITERIA

Section 656.1310, Ordinance Code, sets forth procedures and criteria for evaluating waivers of the Part 13 sign regulations. Section 656.1302 of the Ordinance Code defines a sign as "a painting, structure, projected image or device which is placed, erected, constructed or maintained on or in the ground or water, or on or outside of an enclosed building, boat, ship, vessel or other object or structure or affixed or painted on or inside an exterior window of a building for the purpose of display, 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 656.133(c)1 through 10, 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:

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 applicant's 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?*

18. Given the above definition of a "sign" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver 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 request and to meet the criteria set forth may result in a denial.

The existing sign was installed with the construction of the building in 1983. years later the road was widened which changed the distance from the sign to the road. The sign has remained in its current location since the widening of the road many years ago.

## 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 by the City Council. 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 the 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: Ali Aufoz

Signature: [Signature]

Applicant or Agent (if different than owner)

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

Owner(s)

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

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

## 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, 2<sup>nd</sup> Floor

Jacksonville, Florida 32202

(904) 255-8300

## EXHIBIT 1

### Legal Description

**PARCEL 1:**

That certain tract or parcel of land being a part of Tract "A", HIGHLANDS, UNIT 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida, being more particularly described as COMMENCING at the Northeast corner of said Tract "A"; thence South 89 degrees 27 minutes 10 seconds West along the Northerly boundary of said Tract "A", the same being the Southerly right of way line of Dunn Avenue, 490.0 feet to a point for the POINT OF BEGINNING;

THENCE continue South 89 degrees 27 minutes 10 seconds West, along said Northerly boundary of Tract "A", 100 feet;

THENCE South 0 degrees 10 minutes East, 299.94 feet to a point on the South line of said Tract "A";

THENCE North 89 degrees 27 minutes 10 seconds East, along said South line of Tract "A", 100.00 feet;

THENCE North 0 degrees 10 minutes West, 299.94 feet to the POINT OF BEGINNING.

**PARCEL 2:**

A non-exclusive easement for the benefit of Parcel 1 as created by that certain instrument recorded in Official Records Volume 5738, page 1684 of the current public records of Duval County, Florida for the purpose of laying and maintaining sewer pipes or lines under the following described lands:

An easement for sewer pipes or lines within the South 15 feet of the North 215 feet of the East 340 feet, the South 15 feet of the North 155 feet of the West 150 feet of the East 490 feet and the South 60 feet of the North 215 feet of the West 10 feet of the East 350 feet of Tract "A" Highlands, Unit 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida.

MAP SHOWING BOUNDARY SURVEY OF :

PARCEL 1:

That certain tract or parcel of land being a part of Tract "A", HIGHLANDS, UNIT 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida, being more particularly described as COMMENCING at the Northeast corner of said Tract "A"; thence South 89 degrees 27 minutes 10 seconds West along the Northerly boundary of said Tract "A", the same being the Southerly right of way line of DUNN AVENUE, 490.0 feet to a point for the POINT OF BEGINNING;

THENCE continue South 89 degrees 27 minutes 10 seconds West, along said Northerly boundary of Tract "A", 100 feet;

THENCE South 0 degrees 10 minutes East, 299.94 feet to a point on the South line of said Tract "A";

THENCE North 89 degrees 27 minutes 10 seconds East, along said South line of Tract "A", 100.00 feet;

THENCE North 0 degrees 10 minutes West, 299.94 feet to the POINT OF BEGINNING.

PARCEL 2:

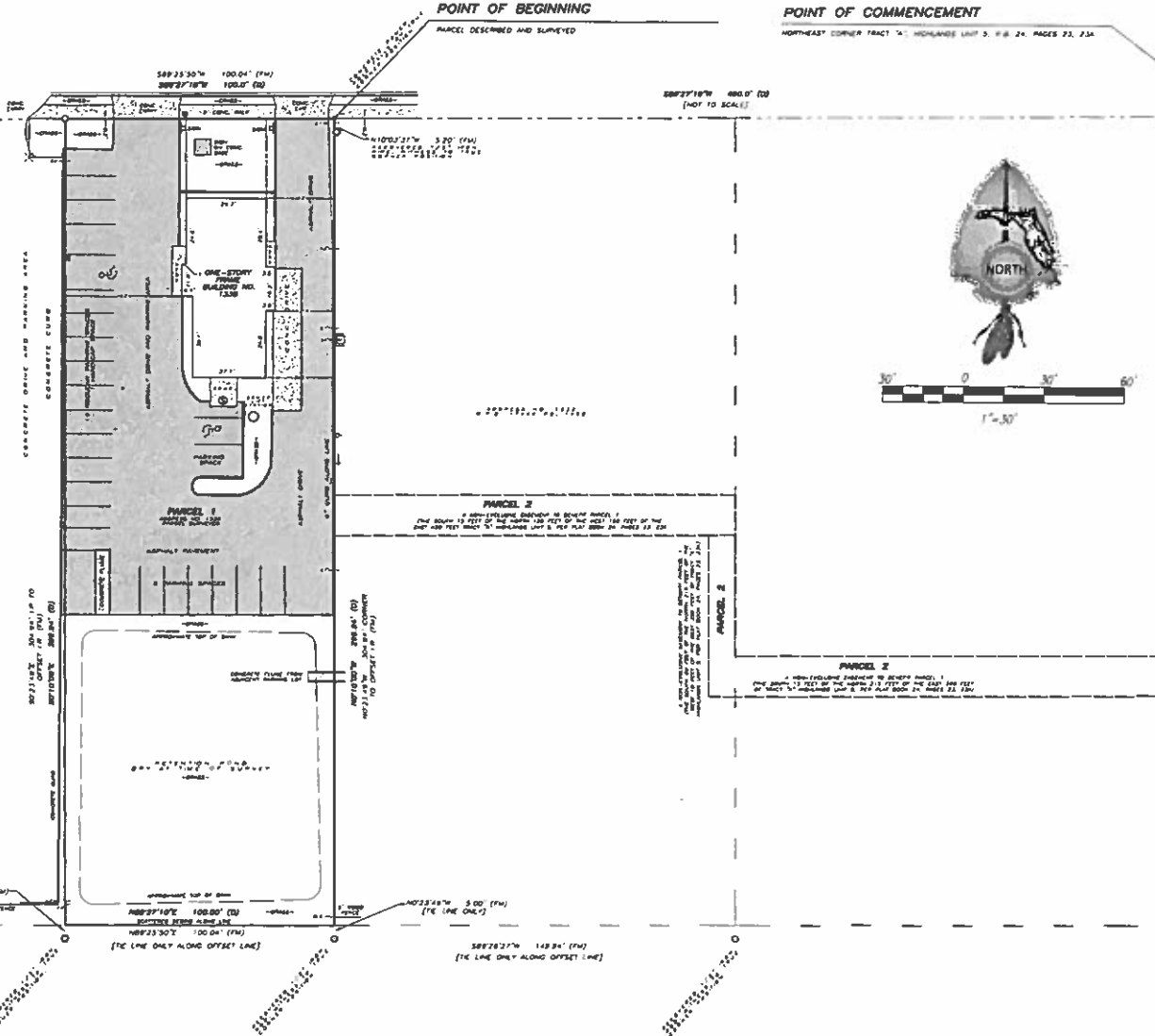
A non-exclusive easement for the benefit of Parcel 1 as created by that certain instrument recorded in Official Records Volume 5738, page 1684 of the current public records of Duval County, Florida for the purpose of laying and maintaining sewer pipes or lines under the following described lands:

An easement for sewer pipes or lines within the South 15 feet of the North 215 feet of the North 155 feet of the West 150 feet of the East 490 feet and the South 60 feet of the North 215 feet of the West 10 feet of the East 350 feet of Tract "A" Highlands, Unit 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida.

DUNN AVENUE  
(A 100 FOOT WIDE PUBLIC ROAD RIGHT OF WAY)  
ASPHALT ROADWAY SURFACE WITH CURB & GUTTER

POINT OF BEGINNING

POINT OF COMMENCEMENT



- SURVEY NOTES: 1. KIND OF MEASUREMENTS: FIELD MEASURED BEARINGS AND DISTANCES (FM) REFERS TO THE FLORIDA STATE PLANE GRID SYSTEM, EAST ZONE 18N, NAD 83, U.S. SURVEY FEET. 2. UNDEVELOPED UTILITIES AND/OR FOUNDATIONS, OR EXISTENCE OF WALLS SERVING THIS OR ADJACENT PROPERTIES HAVE NOT BEEN LOCATED, SHOWN, OR DETERMINED. 3. THESE BEARINGS ARE REFERENCED AND SHOWN AS (RS). 4. THESE BEARINGS AS TO BE CONSIDERED VALID AS IF MEASUREMENTS HAD BEEN MADE BY THE SURVEYOR'S OWNERS OR AGENTS. 5. LATEST DATE OF FIELD SURVEY IS FEBRUARY 25, 2018. 6. THIS PROPERTY IS LOCATED IN FEMA FLOOD ZONE "X" AS SHOWN ON FEMA FLOOD INSURANCE MAP NO. 12031C0181, DATED NOVEMBER 2, 2018. 7. NO ATTEMPT HAS BEEN MADE TO DETERMINE OWNERSHIP OR CONDITION OF RECORDS, UTILITIES, OR ENCUMBRANCES.

ABBREVIATION & SYMBOL LEGEND table with columns for symbols and descriptions of various survey features like utility lines, easements, and monuments.

CORNER MONUMENT NOTE: RECOVERED CORNERS ARE 1/2" IRON PIPES WITH NO CAP I.D., UNLESS OTHERWISE NOTED

CERTIFICATION: I, CHARLES E. PORTER, a Licensed Professional Surveyor in the State of Florida, do hereby certify that the foregoing is a true and correct copy of the original survey records as shown and that the survey shown hereon meets the minimum technical standards set forth by the Florida Board of Professional Surveyors and Mapmakers pursuant to Chapter 472.007, Chapter 472.008, and Chapter 472.009, Florida Statutes.

Professional seal for Charles E. Porter, License Number 14887, State of Florida, and contact information for his surveying firm.

**EXHIBIT A**

**Property Ownership Affidavit – Limited Liability Company (LLC)**

Date: 07/31/19

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: 1338 Dunn Avenue Jacksonville, FL 32218 RE#(s): 042668-0060

To Whom it May Concern: President

I, Ali Abu Fouz, as President of Abaco Property Inv., a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1 in connection with filing application(s) for Sign Waiver submitted to the Jacksonville Planning and Development Department.

(signature) [Handwritten Signature]  
(print name) Ali Abu Fouz

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 this 31st day of JULY 2019, by ALI ABUFOUZ, as PRESIDENT of ABACO PROPERTIES, a Limited Liability Company, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

Richard A. Mills  
(Signature of NOTARY PUBLIC)  
RICHARD A. MILLS  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: \_\_\_\_\_



**RICHARD A. MILLS**  
MY COMMISSION # FF 936645  
EXPIRES: March 14, 2020  
Bonded Thru Budget Notary Services

Prepared by:  
Alexandra B. Griffin, Esq.  
Head, Moss, Fulton & Griffin, P.A.  
1530 Business Center Drive, Suite 4  
Fleming Island, Florida 32003

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 1th day of March, 2019, by Real Estate Partners of Dunn Ave, L.L.C., Louisiana Limited Liability Company, hereinafter called the **Grantor**, to Abaco Property Investment L.L.C., Florida Limited Liability Company, whose address is 11425 Saints Road, Jacksonville, Florida 32246, hereinafter called the **Grantee**,

**WITNESSETH:**

Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto Grantee, the following described property, towit (the "**Property**"):

Parcel 1:

That certain tract or parcel of land being a part of Tract "A", HIGHLANDS, UNIT 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida, being more particularly described as commencing at the Northeast corner of said Tract "A"; thence South 89 degrees 27 minutes 10 seconds West along the Northerly boundary of said Tract "A", the same being the Southerly right of way line of Dunn Avenue, 490.0 feet to a point for the Point of Beginning; thence continue South 89 degrees 27 minutes 10 seconds West, along said Northerly boundary of Tract "A", 100 feet; thence South 0 degrees 10 minutes East, 299.94 feet to a point on the South line of said Tract "A"; thence North 89 degrees 27 minutes 10 seconds East, along said South line of Tract "A", 100.00 feet; thence North 0 degrees 10 minutes West, 299.94 feet to the Point of Beginning.

Parcel 2:

A non-exclusive easement for the benefit of Parcel 1 as created by that certain instrument recorded in Official Records Volume 5738, page 1684 of the current public records of Duval County, Florida for the purpose of laying and maintaining sewer pipes or lines under the following described lands:

An easement for sewer pipes or lines within the South 15 feet of the North 215 feet of the East 340 feet, the South 15 feet of the North 155 feet of the West 150 feet of the East 490 feet and the South 60 feet of the North 215 feet of the West 10 feet of the East 350 feet of Tract "A" Highlands, Unit 5, as recorded in Plat Book 24, pages 23 and 23A of the current public records of Duval County, Florida.



Prepared by  
Alexandra B. Griffin, Esq.  
Head, Moss, Fulton & Griffin, P.A.  
1530 Business Center Drive, Suite 4  
Fleming Island, Florida 32003

Parcel ID Number: 042668-0060

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and all other matters of record, and to all applicable zoning ordinances and restrictions and prohibitions imposed by governmental authorities, if any.

THIS SALE IS MADE AS IS WHERE IS WITHOUT ANY WARRANTIES WHATSOEVER EXCEPT AS OTHERWISE EXPRESSLY SET FORTH HEREIN.

AND EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED FOR IN THIS SPECIAL WARRANTY DEED, GRANTOR HAS NOT, DOES NOT AND WILL NOT MAKE ANY REPRESENTATIONS OR WARRANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED, CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION (a) THE TITLE, THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE, OF THE PROPERTY OR (b) COMPLIANCE WITH ANY GOVERNMENTAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO THE HANDLING, GENERATING, TREATING, STORING OR DISPOSING OF ANY HAZARDOUS MATERIAL.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor covenants Grantee, that Grantor is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; and that it does hereby typically warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

Signed, sealed and delivered  
in the presence of two witnesses:

Witness No. 1

Witness Sign Name Janet R. Hebert  
Witness Print Name Janet R. Hebert

Real Estate Partners of Dunn Ave, L.L.C., a Louisiana  
limited liability company

By: Theodore W. Kergan, II (Seal)  
Name: Theodore W. Kergan, II  
Title: Manager

Witness No. 2

Witness Sign Name Patricia Abshire  
Witness Print Name Patricia Abshire

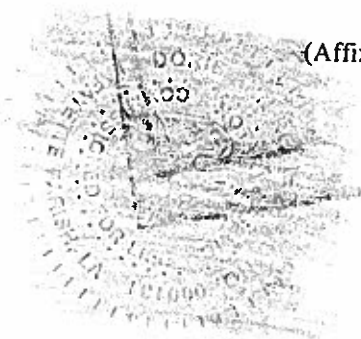
Prepared by  
Alexandra B. Griffin, Esq  
Head, Moss, Fulton & Griffin, P A  
1530 Business Center Drive, Suite 4  
Fleming Island, Florida 32003

State of Louisiana  
Parish of Lafayette

The foregoing instrument was sworn to, subscribed and acknowledged before me on this 7th day of March, 2019, by Theodore W. Kergan, II, Manager of Real Estate Partners of Dunn Ave L.L.C., Louisiana Limited Liability Company, (X) who is/are personally known to me or ( ) who has produced N/A as identification.

Notary Sign Name: Debra Ann Reiners  
Notary Print Name: Debra Ann Reiners  
Notary Public, State of Louisiana  
Notary Commission Expires: at death  
Notary Commission Number: 181

(Affix Notary Stamp)



**ABACO PROPERTY INVESTMENT L L C**  
 11425 SAINTS RD  
 JACKSONVILLE, FL 32246

**Primary Site Address**  
 1338 DUNN AVE  
 Jacksonville FL 32218

**Title #**  
 6311

**1338 DUNN AVE**  
 Property Detail

RE #	042668-0060
Tax District	GS
Property Use	2200 Restaurant Fast Food
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	00689 HIGHLANDS UNIT 05
Total Area	29814

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Value Summary		2018 Certified	2019 In Progress
Value Description	Value Method	Income	Income
Total Building Value	\$0.00	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00	\$0.00
Land Value (Market)	\$299,690.00	\$299,690.00	\$299,690.00
Land Value (Agric.)	\$0.00	\$0.00	\$0.00
Just (Market) Value	\$388,100.00	\$388,100.00	\$392,300.00
Assessed Value	\$388,100.00	\$388,100.00	\$392,300.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$0.00 / \$0.00	\$0.00 / \$0.00
Exemptions	\$0.00	\$0.00	See below
Taxable Value	\$388,100.00	\$388,100.00	See below

**Taxable Values and Exemptions - In Progress**  
 If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.  
 County/Municipal Taxable Value: SJRWMD/FIND Taxable Value  
 No applicable exemptions: No applicable exemptions  
 School Taxable Value: No applicable exemptions

**Sales History**

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
18716-02116	3/7/2019	\$407,000.00	SW - Special Warranty	Qualified	Improved
10654-00109	8/28/2002	\$425,000.00	SW - Special Warranty	Qualified	Vacant
08196-00301	9/29/1995	\$2,018,400.00	SW - Special Warranty	Unqualified	Improved
05752-00129	1/17/1984	\$100,000	MS - Miscellaneous	Unqualified	Improved
05738-01681	12/22/1983	\$120,000.00	MS - Miscellaneous	Unqualified	Improved

**Extra Features**

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	PVAC1	Paving Asphalt	1	0	0	13,201.00	\$9,003.00
2	LPMC1	Light Pole Metal	1	0	0	3.00	\$1,201.00
3	LITC1	Lighting Fixtures	1	0	0	3.00	\$607.00
4	PVCC1	Paving Concrete	1	0	0	450.00	\$458.00

**Land & Legal**

LN	Code	Use Description	Zoning	Front	Depth	Category	Land Units	Land Type	Land Value	Legal								
1	1000	COMMERCIAL	CCG-1	0.00	0.00	Common	29,969.00	Square Footage	\$299,690.00	<table border="1"> <thead> <tr> <th>LN</th> <th>Legal Description</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>24-23 11-15-26E .69</td> </tr> <tr> <td>2</td> <td>HIGHLANDS UNIT 5</td> </tr> <tr> <td>3</td> <td>PT OF TRACT A RECD O/R 18716-2116</td> </tr> </tbody> </table>	LN	Legal Description	1	24-23 11-15-26E .69	2	HIGHLANDS UNIT 5	3	PT OF TRACT A RECD O/R 18716-2116
LN	Legal Description																	
1	24-23 11-15-26E .69																	
2	HIGHLANDS UNIT 5																	
3	PT OF TRACT A RECD O/R 18716-2116																	

**Buildings**

Building 1	Element	Code	Detail
Building 1 Site Address 1338 DUNN AVE Unit Jacksonville FL 32218	Exterior Wall	8	8 Horizontal Lap
	Roof Struct	9	9 Rigid Fr/Bar J

Property Appraiser - Property Details

2201 - REST FAST FOOD

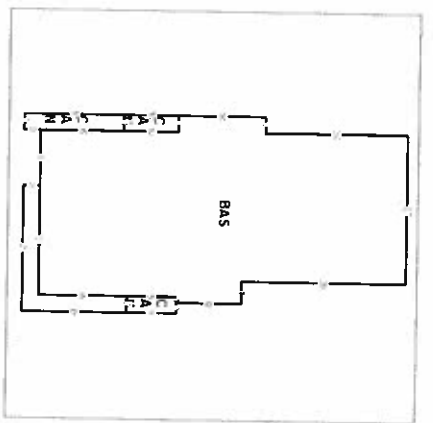
<b>Year Built</b>	1984
<b>Building Value</b>	\$65,604.00

Type	Gross Area	Heated Area	Effective Area
Base Area	1980	1980	1980
Canopy	117	0	29
Canopy	54	0	14
Canopy	30	0	8
Canopy	27	0	7
<b>Total</b>	<b>2208</b>	<b>1980</b>	<b>2038</b>

Roofing Cover	4	4 Built Up/TRG
Interior Wall	4	4 Plywood panel
Interior Wall	8	8 Decorative Cvr
Int Flooring	15	15 Quar/Hrd Tile
Heading Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central
Ceiling Wall Finish	5	5 S Cell Wall Fin
Comm Htg & AC	1	1 Not Zoned
Comm Frame	4	4 D-Wood Frame

Element	Code	Detail
Stores	1,000	
Restrooms	2,000	
Baths	10,000	
Rooms / Units	3,000	
Avg Storey Height	12,000	



**2018 Notice of Proposed Property Taxes Notice (TRIM Notice)**

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt. Ex. B&B	\$388,100.00	\$0.00	\$388,100.00	\$4,440.60	\$4,440.60	\$4,200.48
Public Schools- By State Law	\$388,100.00	\$0.00	\$388,100.00	\$1,644.38	\$1,569.86	\$1,552.90
By Local Board	\$388,100.00	\$0.00	\$388,100.00	\$872.45	\$872.45	\$823.90
FL Inland Navigation Dist.	\$388,100.00	\$0.00	\$388,100.00	\$12.42	\$12.42	\$11.72
Water Mgmt Dist. SJRWMD	\$388,100.00	\$0.00	\$388,100.00	\$105.72	\$99.43	\$99.43
Gen Gov Voted	\$388,100.00	\$0.00	\$388,100.00	\$0.00	\$0.00	\$0.00
School Board Voted	\$388,100.00	\$0.00	\$388,100.00	\$0.00	\$0.00	\$0.00
<b>Totals</b>				<b>\$7,075.57</b>	<b>\$6,994.76</b>	<b>\$6,688.43</b>
<b>Description</b>	<b>Last Year</b>	<b>Just Value</b>	<b>Assessed Value</b>	<b>Exemptions</b>	<b>Taxable Value</b>	<b>Taxable Value</b>
	\$388,100.00	\$388,100.00	\$388,100.00	\$0.00	\$388,100.00	\$388,100.00
	<b>Current Year</b>	\$388,100.00	\$388,100.00	\$0.00	\$388,100.00	\$388,100.00

**2018 TRIM Property Record Card (PRC)**

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

**Property Record Card (PRC)**

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

- [2018](#)
- [2017](#)
- [2016](#)
- [2015](#)
- [2014](#)

• To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: [\[Link\]](#)

**More Information**

- [Contact Us](#) | [Parcel Tax Record](#) | [GIS Map](#) | [Map this property on Google Maps](#) | [City Fees Record](#)

**Electronic Articles of Organization  
For  
Florida Limited Liability Company**

L19000141442  
FILED 8:00 AM  
May 28, 2019  
Sec. Of State  
btmitchell

**Article I**

The name of the Limited Liability Company is:

MR SNAPPERS CHICKEN & FISH LLC

**Article II**

The street address of the principal office of the Limited Liability Company is:

1338 DUNN AVE.  
JACKSONVILLE, FL. US 32218

The mailing address of the Limited Liability Company is:

8535 BAYMEADOWS RD #42  
JACKSONVILLE, FL. US 32256

**Article III**

The name and Florida street address of the registered agent is:

ALI S ABUFOUZ  
8535 BAYMEADOWS RD #42  
JACKSONVILLE, FL. 32256

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ALI ABUFOUZ

### **Article IV**

The name and address of person(s) authorized to manage LLC:

Title: MGR  
ALI S ABUFOUZ  
8535 BAYMEADOWS RD #42  
JACKSONVILLE, FL. 32256 US

**L19000141442**  
**FILED 8:00 AM**  
**May 28, 2019**  
**Sec. Of State**  
**btmitchell**

### **Article V**

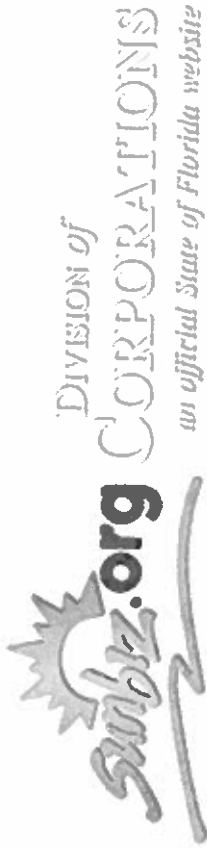
The effective date for this Limited Liability Company shall be:

05/28/2019

Signature of member or an authorized representative

Electronic Signature: ALI ABUFOUZ

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

### Detail by Entity Name

Florida Limited Liability Company  
 ABACO PROPERTY INVESTMENT L.L.C

Filing Information

**Document Number** L15000143633

**FEI/EIN Number** 47-4905038

**Date Filed** 08/21/2015

**Effective Date** 08/21/2015

**State** FL

**Status** ACTIVE

Principal Address

11425 SAINTS RD  
 JACKSONVILLE, FL 32246

Mailing Address

4626 Swilcan Bridge Ln S  
 Jacksonville, FL 32224

Changed: 01/03/2019

Registered Agent Name & Address

ABUFOUZ, ALI  
4626 Swilcan Bridge Ln S  
Jacksonville, FL 32224

Address Changed: 01/03/2019

Authorized Person(s) Detail

**Name & Address**

Title PD

AbuFouz, Ali  
4626 Swilcan Bridge Ln S  
Jacksonville, FL 32224

Annual Reports

Report Year	Filed Date
2017	01/06/2017
2018	01/16/2018
2019	01/03/2019

Document Images

<a href="#">01/03/2019 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/16/2018 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/06/2017 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/26/2016 -- ANNUAL REPORT</a>	View image in PDF format



Detail by Entity Name

[08/21/2015 -- Florida Limited Liability](#) [View image in PDF format](#)

Florida Department of State, Division of Corporations

**2019 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT**

DOCUMENT# L15000143633

**Entity Name:** ABACO PROPERTY INVESTMENT L.L.C

**Current Principal Place of Business:**

11425 SAINTS RD  
JACKSONVILLE, FL 32246

**Current Mailing Address:**

4626 SWILCAN BRIDGE LN S  
JACKSONVILLE, FL 32224 US

**FEI Number:** 47-4905038

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

ABUFOUZ, ALI  
4626 SWILCAN BRIDGE LN S  
JACKSONVILLE, FL 32224 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:**

\_\_\_\_\_  
Electronic Signature of Registered Agent

\_\_\_\_\_  
Date

**Authorized Person(s) Detail :**

Title PD  
Name ABUFOUZ, ALI  
Address 4626 SWILCAN BRIDGE LN S  
City-State-Zip: JACKSONVILLE FL 32224

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** ALI ABUFOUZ

PD

01/03/2019

\_\_\_\_\_  
Electronic Signature of Signing Authorized Person(s) Detail

\_\_\_\_\_  
Date



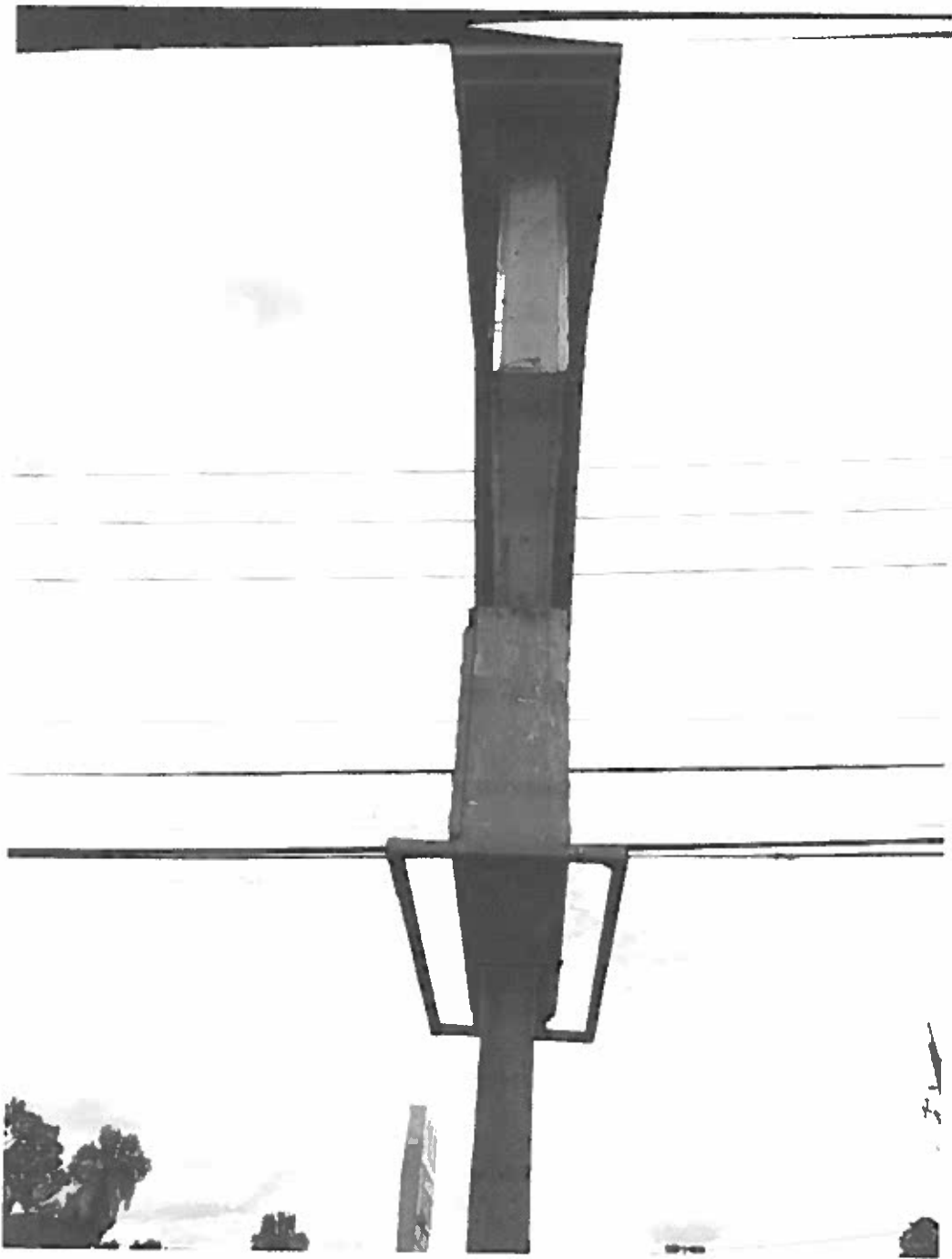
Al Fouz  
1338 Dunn Ave  
Aug 5, 2019 at 10:27:19 AM  
ABACo AIR EXPERTS, INC.

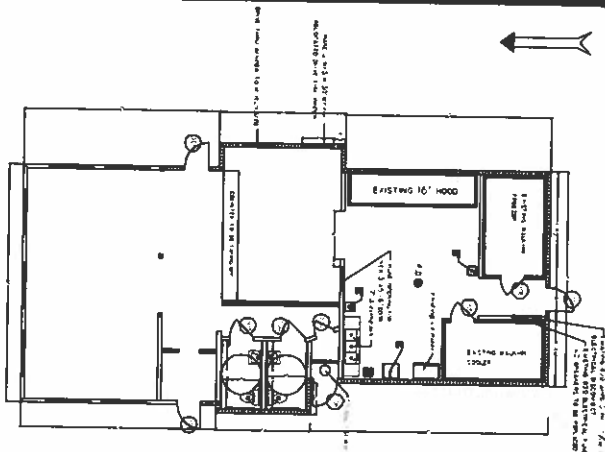




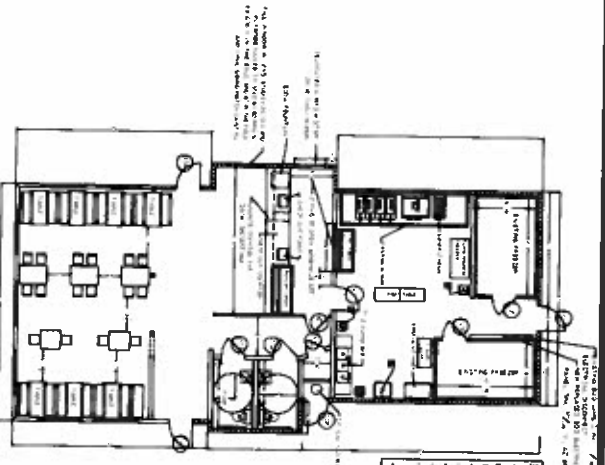


Sent from my iPhone





FIRST FLOOR EXISTING/NEW FLOOR PLAN



SECOND FLOOR EXISTING/NEW FLOOR PLAN

**LIST OF WORK & GENERAL NOTES**

THE CONSTRUCTION IN THIS SPACE IS SHOWN AND EXISTING RESTAURANT UNITS AND RELATED ALL EQUIPMENTS UP TO THE CODE REQUIREMENTS INCLUDING THE FOLLOWING:

- DOOR AND EXPANSION SYSTEM
- ROOF AND EXTERIOR WALLS
- 1-24" OFF EXISTING CONCRETE FLOOR AND FILL WITH 1" FINEST GRAIN CUTTING THE SAME UNDER HEIGHT OF 10 FLOOR LEVEL.
- COVER ALL TRADES ALL THE SPACE AND ALL EQUIPMENTS AND DO REDEFINITIONS.

**APPLICABLE CODE**

- FLORIDA BUILDING CODE 2017, 6TH EDITION
- FLORIDA PLUMBING CODE 2017, 6TH EDITION
- FLORIDA MECHANICAL CODE 2017, 6TH EDITION
- NATIONAL ELECTRICAL CODE 2017
- FLORIDA FIRE PREVENTION CODE 2017, 5TH EDITION, 1988 & 1994 (W/REVISIONS) & NFPA 90A, 90B, 90C, 90D, 90E, 90F, 90G, 90H, 90I, 90J, 90K, 90L, 90M, 90N, 90O, 90P, 90Q, 90R, 90S, 90T, 90U, 90V, 90W, 90X, 90Y, 90Z

**CODE SUMMARY:**

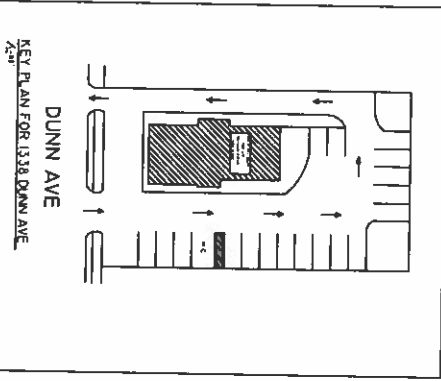
- CONSTRUCTION TYPE III B WIND FIRE SPRINKLER SYSTEM
- SPACE AREA 1980 SQFT, FREE STAND BUILDING
- THE BUILDING WAS 75 % ADA ACCESSIBLE AND WE ARE GOING TO MAKE IT 90 % H.C. ACCESSIBLE BY SPENDING MORE THAT 50 % OF THE COST TOWARD TO TOTAL CONSTRUCTION COST
- OCCUPANCY IS ASSEMBLY A2 (RESTAURANT)
- OCCUPANCY DESIGN LOAD ACCORDING TO FBCL7 TABLE 1004.1.1 :
- OFFICE + CASHIER+CUSTOMER SERVICE = 125 SQFT(NET)/100= 1 OCCUPANTS
- KITCHEN AREA 400 SQFT(NET) / 200 = 2 OCCUPANTS
- UNFIXED SEAT (BOOTH) 28 SEATS
- SEATING AREA : FIXED SEAT (NET) / 11 = 29 OCCUPANTS
- STORAGE AREA 198 SQFT / 500 = 2 OCCUPANTS
- TOTAL OCCUPANCY = 1+2+28+29+2= 62 OCCUPANTS
- NEW GLASS WIND SPEED DESIGN 150 MPH

**EXISTING/NEW DOOR SCHEDULE**

DOOR NO.	SIZE	MATERIAL	HARDWARE
D01	3'X7'	WOOD 6' 0" 1/2"	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
D02	3'X7'	HALTER METAL	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
D03	3'X6'-8"	HALTER WOOD	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
D04	2'X6'-8"	HALTER WOOD	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
D05	3'X6'-8"	HALTER METAL	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
D06	3'X6'-8"	HALTER WOOD	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE
ND01	3'X6'-8"	HALTER WOOD	1"11" DOWN PULL HANDLE - 1"11" DOWN PULL HANDLE

**EXISTING/NEW WALL LEGEND**

[Pattern]	EXISTING 6" WOOD EXTERIOR BEARING WALLS
[Pattern]	EXISTING 6" WOOD INTERIOR WALLS (NO CHANGE)
[Pattern]	EXISTING 6" INTERIOR WALLS TO BE DEMOLISHED
[Pattern]	EXISTING 5" INSULATED PANEL W/ GALVANIZED SHEET METAL
[Pattern]	NEW 4" INTERIOR WALLS (3'-8" METAL STUD EV. 24" O.C. W/ 1/2" SHEET ROCK
[Pattern]	NEW 4" INTERIOR KNEE WALLS 48" AFF. (3'-8" METAL STUD EV. 24" O.C. W/ 1/2" SHEET ROCK



<b>PRISM DESIGN &amp; CONST., INC.</b> 5488 RIVER TRAIL RD S. JACKSONVILLE, FL 32277 PH (904) 465-3215	<b>PDC</b> ENGINEERS DESIGNERS PLANNERS	DESIGN BY <b>KAMAL YAZJI, P.E.</b> P# 51542 5488 RIVER TRAIL RD S JACKSONVILLE, FL 32277 904-465-3215	DATE 05-28-09	SCALE 1/8"=1'-0"	<b>PROJECT</b> MR SWAPPERS FISH & CHICKEN 1538 Dunn Ave Jax, FL 32218	<b>EXISTING, NEW FLOOR PLAN KEY PLAN</b>
---	--	--	------------------	---------------------	---	--