

Date Submitted:	8/17/22
Date Filed:	9/24/22

Application Number:	AD-22-70
Public Hearing:	10/20/22

**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.

Var 1460<sup>00</sup>  
Ad 989<sup>00</sup>  


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2,412

For Official Use Only		
Current Zoning District:	E CG-1 & Pkd	Current Land Use Category: CGC-
Deviation Sought: Compact spaces 30% - 52% Reduce onsite loading spaces; Reduce setback allowing residential zoning...etc	Applicable Section of Ordinance Code: Sec. 656.1214, 1215, 1216	
Council District:	14	Planning District: 4
Previous Zoning Applications Filed (provide application numbers): none found		
Notice of Violation(s):		
Number of Signs to Post: 3	Amount of Fee: 962.00	Zoning Asst. Initials: AJ
Neighborhood Associations: South west		
Overlay: none		

PROPERTY INFORMATION	
1. Complete Property Address: 4261 Roosevelt Blvd., 4461 & 4457 Beverly Ave., Jacksonville, FL 32210	2. Real Estate Number: <u>CEC-1</u> 069239-0000, 069243-0000, 069244-0000
3. Land Area (Acres): 0.8	4. Date Lot was Recorded:
5. Property Located Between Streets: Roosevelt Blvd, Melrose Ave and Beverly Ave	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. In whose name will the Deviation be granted: Triple Net Equities, Inc.	
8. Is transferability requested? <i>If approved, the administrative deviation is transferred with the property.</i> Yes <input checked="" 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 30% Compact to 52% compact.
- 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 4.
- 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 2 required to 0 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 24 feet required to 20 feet.
- Reduce vehicle use area interior landscape from 1330 sq. ft. required to 220 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 Roosevelt, Melrose & Beverly from 10 feet per linear feet of frontage and 5 feet minimum width required to 3 feet per linear feet of frontage and 1 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.
- Reduce the perimeter landscape buffer area between vehicle use area and abutting property along the north (Circle) / east / south / west property boundary from 5 feet minimum width required to 0 feet.
- Reduce the number of trees along the north (Circle) / east / south / west property boundary from \_\_\_\_\_ required to \_\_\_\_\_.

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

(Circle)

Increase the maximum / ~~Decrease the minimum~~ width of the driveway access from 24 <sup>(Circle)</sup> from 24 / 36 / 48 feet required to 20 feet.

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 20 feet.

Reduce the uncomplimentary land use buffer width along the north / east / south / west property boundary from 10 feet wide required to 4 feet wide.

Reduce the uncomplimentary land use buffer trees along the north / east / south / west property boundary from 12 required to 0 trees.

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: <b>Triple Net Equities, Inc.</b>	11. E-mail:
12. Address (including city, state, zip): 10739 Deerwood Park Blvd Suite 300 Jacksonville, FL 32256	13. Preferred Telephone:

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

14. Name: <b>Driver, McAfee, Hawthorne &amp; Diebenow, PLLC</b>	15. E-mail: sdiebenow@drivermcafee.com/msittner@drivermcafee.com
16. Address (including city, state, zip): 1 Independent Drive Suite 1200 Jacksonville, FL 32202	17. Preferred Telephone: <b>(904) 807-8214</b>

## 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:

- 1. 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.

See attached.

## STANDARDS AND CRITERIA

### ADMINISTRATIVE DEVIATION FOR DEVELOPMENT OF A RETAIL BUILDING ON ROOSEVELT BOULEVARD

**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.**

The proposed deviation arises out of the physical surroundings, shape, or conditions limited to the subject property alone, herein defined. Applicant proposes to develop a second retail store at 4261 Roosevelt Boulevard (RE 069239 0000) and 4461 and 4457 Beverly Avenue (REs 069243 0000 and 069244 0000) (collectively, the "Property").

The Property has a land use designation of CGC. 4261 Roosevelt and 4461 Beverly Avenue are zoned CCG-1 and 4457 Beverly Avenue is zoned PUD (which was filed to allow for a single-family home in CGC land use). Applicant has filed a companion rezoning for 4457 Beverly Avenue requesting conventional CCG-1 zoning.

4261 Roosevelt Boulevard is currently used as a retail store with Mattress Firm and Jersey Mike's Subs as tenants. The Beverly Avenue parcels were historically used as an office and single-family home respectively although both are currently vacant.

Due to the existing conditions and site constraints, Applicant requests the following administrative deviations:

1. An increase in the maximum amount of compact parking spaces from thirty percent (30%) to fifty-two percent (52%) (in the application form, this has been requested as an increase in the maximum number of off-street parking spaces).
2. Reduce required on-site loading spaces from two (2) to zero (0),
3. Reduce setback in CCG-1 zoning district abutting residential zoning district from fifteen (15) feet to four (4) feet (existing, the new building will encroach 5.4 feet on north corner of building),
4. Reduce uncomplimentary buffers along the eastern boundary from ten (10) feet to four (4) feet (existing, the new building will encroach 5.4 feet on north corner of building),
5. Reduce the required amount of trees along the eastern boundary from twelve (12) to zero (0) (existing),
6. Reduce the minimum drive aisle from twenty-four (24) feet to twenty (20) feet (existing)
7. Reduce the minimum driveway access from twenty-four (24) feet to twenty (20) feet (existing, south driveway access will be twenty-four (24) feet),
8. Reduce the required interior vehicle use area ("VUA") landscaping from ten percent (10%) VUA (1330 sf) to two hundred twenty (220) square feet,

9. Reduce VUA right-of-way frontage landscaping along Roosevelt Boulevard from two thousand five hundred (2,500) square feet to one thousand nine hundred forty (1,940) square feet,
    - This has been requested in the application form as reducing landscape buffer between vehicle use area along Roosevelt, Melrose & Beverly from 10 feet per linear feet of frontage and 5 feet minimum width required to 3 feet per linear feet of frontage and 1 feet minimum width.
    - This landscaping strip along Roosevelt Boulevard results in a landscape buffer of an average of 7 feet per linear foot (250 feet of linear frontage with 1940 sf landscaping provided). See the landscaping plan for additional details.
  10. Reduce VUA right-of-way frontage landscaping along Beverly Avenue from three hundred sixty (360) square feet to one hundred thirty (130) square feet,
    - This has been requested in the application form as reducing landscape buffer between vehicle use area along Roosevelt, Melrose & Beverly from 10 feet per linear feet of frontage and 5 feet minimum width required to 3 feet per linear feet of frontage and 1 foot minimum width.
    - This landscaping strip along Beverly Avenue results in a landscape buffer of an average of 3 feet per linear foot of frontage (36 feet of linear frontage with 130 sf landscaping provided). See the landscaping plan for additional details.
  11. Reduce minimum width of landscaping along south boundary from five (5) feet to zero (0) feet (due to dumpster location),
  12. Reduce VUA right-of-way frontage landscaping along Melrose Avenue from three hundred sixty (360) square feet to one hundred seventy (170) square feet (existing).
    - This has been requested in the application form as reducing landscape buffer between vehicle use area along Roosevelt, Melrose & Beverly from 10 feet per linear feet of frontage and 5 feet minimum width required to 3 feet per linear feet of frontage and 1 foot minimum width.
    - This landscaping strip along Beverly Avenue results in a landscape buffer of an average of 4 feet per linear foot of frontage (36 feet of linear frontage with 170 sf landscaping provided). See the landscaping plan for additional details.
- 1. *There are practical or economic difficulties in carrying out the strict letter of the regulation;***

There are practical and economic difficulties with the strict letter of the Zoning Code as applied to this Project. The requested setback, uncomplimentary buffer, required trees along the eastern boundary, minimum drive aisle and driveway access reductions are to account for the existing conditions associated with the constructed retail building which was built in 1991. Abiding by the strict letter of the applicable code provisions would require partial demolition of the building, which is impractical and economically unreasonable.

The proposed retail development includes the ten (10) foot uncomplimentary buffer as well as a fifteen (15) foot setback along the eastern boundary while maintaining a consistent store front with the existing building. There is a small portion of the proposed new building that is 5.4 feet from the northern abutting property, which is still a larger setback than the existing setbacks currently on the Property.

The requested increase in compact parking is a result of the existing conditions. The distance from the existing building to the landscaping fronting Roosevelt Boulevard is fifty-eight (58) feet [20.16 ft for parking, 20.35 ft for drive aisle, 17.5 ft for parking]. No matter how that space is divided, it will either result in compact parking spaces or narrower drive aisles. The proposed new retail development is programmed along the same line as the existing building to maintain a consistent store front facing Roosevelt Boulevard. As a result, Applicant has opted to provide a full twenty-four (24) foot drive aisle in front of the proposed commercial facility while providing compact spaces along the western parking row. The northern portion of the parking lot will remain in its current configuration due to the ADA spaces, which cannot be shortened. Owner will also be removing some of the interior landscape islands to provide for additional parking spaces. The Property has not had designated off-street loading spaces, and Applicant has programmed additional parking spaces in lieu of such designated loading spaces.

The reduction of the VUA right-of-way frontage landscaping to the south, north and west boundaries are largely existing conditions. Applicant will be locating the dumpster in the southern landscaping area for convenient and efficient loading and unloading.

- 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.***

Yes. The grant of administrative deviations will not reduce the cost of developing the site. Rather, this request is based upon a desire to develop complementary retail and maintain a consistent store front facing Roosevelt Boulevard while balancing the current code requirements and the existing conditions. A majority of the requests are to account for the existing conditions associated with the developed retail building.

- 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;***

Yes. The proposed deviation will not diminish property values, nor will it alter the essential character of the surrounding area and will not substantially interfere with the rights of others. The proposed retail building will be built on property currently located in the CGC land use category which is "intended to provide for a wide variety of retail goods and services which serve large areas of the City and diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns." The single-family home directly west of the proposed retail building is also located in the CGC land use category. The proposed retail building will face Roosevelt Boulevard, a major arterial. Further, the location of the access points will remain the same, which will result in no additional traffic intrusion into the residential neighborhood from traffic coming from Roosevelt Boulevard. The southern access point is approximately one hundred (100) feet closer to Roosevelt Boulevard than the Starbucks that is directly south of the Property.



- 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;***

The proposed use will not affect public health, safety or welfare or result in additional public expense, creation of nuisance or conflict any other applicable law. Instead, the requested deviation furthers the following goals, objectives, and policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan including the CGC – General Intent, Goal 1, Objective 1.1, Goal 3, Objective 3.2, Policy 3.2.1, Policy 3.2.2, Objective 3.4, Goal 4, and Objective 6.3.

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

Applicant will confer with the Landscape Architect as needed.

- 6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.***

Yes. The purpose of the Zoning Code is to promote the health, safety, morals and general welfare of the public, to regulate the use of land and buildings and to implement the Comprehensive Plan. The majority of the deviations are to account for the existing conditions on the Property. Many of the requests, if not granted, would require demolition of portions of the existing building, which is not practical. This development is an effort to improve the community and provide much needed retail to the greater Ortega area on property already located within the CGC land use category. Applicant has provided parking and landscaping to the extent possible given the existing site constraints consistent with the spirit and intent of the Zoning Code.

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

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

Applicant has not created any violation which may exist.

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

Applicant is not aware of any prior citations for the Property.

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

Applicant is not aware of any existing violation.

## 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](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.

<u>Base Fee</u>	<u>Public Notices</u>
Residential Districts: \$966.00	\$7.00 per Addressee
Non-residential Districts: \$952.00	

**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.

<p><b>Owner(s)</b> Print name: _____ Signature: _____</p>	<p><b>Applicant or Agent (if different than owner)</b> Print name: <u>Steve Diebenow</u> Signature: </p> <p><i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i></p>
<p><b>Owner(s)</b> Print name: _____ Signature: _____</p>	

**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 A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, 3rd Floor  
Jacksonville, Florida 32202

**Re: Property Ownership Affidavit for 4457 Beverly Avenue, Jacksonville,  
Florida 32210 (RE# 069244 0000)**

Ladies and Gentlemen:

You are hereby advised that Triple Net Equities, Inc., a Florida corporation, is the owner of the property described in the legal description attached hereto as **Exhibit 1**, filed in connection with application for rezoning, and such other entitlements as may be required for the above referenced property, submitted to the Jacksonville Planning and Development Department.

TRIPLE NET EQUITIES, INC., a Florida  
corporation

By: Carrie L. Manley  
Signed  
Carrie L. Manley  
Printed  
Vice President  
Title

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 28<sup>th</sup> day of MARCH, 2022 by Carrie L. Manley, as Vice President of Triple Net Equities, Inc., a Florida corporation, on behalf of the corporation, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



Jessica Marie Fox  
(Notary Signature)

**EXHIBIT A**  
**Property Ownership Affidavit**

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, 3rd Floor  
Jacksonville, Florida 32202

**Re: Property Ownership Affidavit for 4261 Roosevelt Blvd., Jacksonville, FL 32210; 4461 Beverly Ave., Jacksonville, FL 32210 (RE#s 069239-0000; 069243-0000)**

Ladies and Gentlemen:

You are hereby advised that Triple Net Equities, Inc., a Florida profit corporation, is the owner of the property described in the legal description attached hereto as **Exhibit 1**, filed in connection with application(s) for rezoning, administrative deviation, and such other entitlements as may be required for the above referenced property submitted to the Jacksonville Planning and Development Department.

TRIPLE NET EQUITIES, INC., a Florida profit corporation

By: Carrel Mantley  
Signed

Carrel Mantley  
Printed

Vice President  
Title

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, as \_\_\_\_\_ of Triple Net Equities, Inc., a Florida profit corporation, on behalf of the corporation, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



Jessica Marie Fox  
(Notary Signature)

**EXHIBIT B**  
**Agent Authorization**

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

**Re: Agent Authorization for 4457 Beverly Avenue, Jacksonville, Florida 32210  
(RE# 069244 0000)**

Ladies and Gentlemen:

You are hereby advised that Triple Net Equities, Inc., a Florida corporation, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC to act as agent to file application(s) and other documents necessary to obtain a zoning change and administrative deviation approval 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.

TRIPLE NET EQUITIES, INC., a Florida corporation

By: Carrie L Manley  
Signed

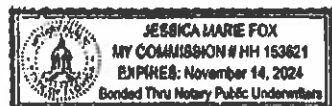
Carrie L. Manley  
Printed

Vice President  
Title

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 28<sup>th</sup> day of MARCH, 2022 by Carrie L. Manley, as Vice President of Triple Net Equities, Inc., a Florida corporation, on behalf of the corporation, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



Jessica Marie Fox  
(Notary Signature)

**EXHIBIT B**  
**Agent Authorization**

City of Jacksonville  
Planning and Development Department  
214 N. Hogan St. Edward Ball Bldg. Stc. 300  
Jacksonville, Florida 32202

**Re: Agent Authorization for 4261 Roosevelt Blvd., Jacksonville, FL 32210; 4461 Beverly Ave., Jacksonville, FL 32210 (RE#s 069239-0000; 069243-0000)**

Ladies and Gentlemen:

You are hereby advised that Triple Net Equities, Inc., a Florida profit corporation, hereby authorizes and empowers DRIVER, MCAFEE, HAWTHORNE & DIEBENOW PLLC, to act as agent to file an application for zoning exception, and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, request and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

TRIPLE NET EQUITIES, INC., a Florida profit corporation

By: Carrie L Manly  
Signed

Carrie L Manly  
Printed

Vice President  
Title

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 28<sup>th</sup> day of MARCH, 2022 by \_\_\_\_\_, as \_\_\_\_\_ of Triple Net Equities, Inc., a Florida profit corporation, on behalf of the corporation, who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



Jessica Marie Fox  
(Notary Signature)





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Florida Profit Corporation  
TRIPLE NET EQUITIES, INC.

### Filing Information

**Document Number** S72002  
**FEI/EIN Number** 59-3081746  
**Date Filed** 08/06/1991  
**Effective Date** 08/05/1991  
**State** FL  
**Status** ACTIVE

### Principal Address

10739 DEERWOOD PARK BLVD  
 SUITE 300  
 JACKSONVILLE, FL 32256

Changed: 03/23/2010

### Mailing Address

10739 DEERWOOD PARK BLVD  
 SUITE 300  
 JACKSONVILLE, FL 32256

Changed: 03/23/2010

### Registered Agent Name & Address

SLEIMAN, PETER D  
 10739 DEERWOOD PARK BLVD  
 SUITE 300  
 JACKSONVILLE, FL 32256

Name Changed: 04/13/2005

Address Changed: 03/23/2010

### Officer/Director Detail

#### **Name & Address**

Title PTD

SLEIMAN, PETER D.  
 10739 DEERWOOD PARK BLVD STE 300  
 JACKSONVILLE, FL 32256

Title VP

Manley, Carrie L  
 10739 DEERWOOD PARK BLVD  
 SUITE 300  
 JACKSONVILLE, FL 32256

RECORD AND RETURN TO:  
Mary A. Robison, Esquire (KDB)  
Fisher, Tousey, Leas & Ball, P.A.  
501 Riverside Avenue, Suite 600  
Jacksonville, Florida 32202

Doc # 2022078943, OR BK 20201 Page 135,  
Number Pages: 2  
Recorded 03/29/2022 04:02 PM,  
JODY PHILLIPS CLERK CIRCUIT COURT DUVAL  
COUNTY  
RECORDING \$18.50  
DEED DOC ST \$2961.00

**NOTE TO CLERK: CONSIDERATION ON THIS TRANSFER IS IN THE AMOUNT OF \$422,999.70. DOCUMENTARY STAMP TAX IN THE AMOUNT OF \$2,961.00 IS BEING PAID ON THIS TRANSFER.**

### WARRANTY DEED

THIS INDENTURE, made as of the 18<sup>th</sup> day of March, 2022, between ALAN KARL HIMMELREICH, an unmarried man, whose address is 4457 Beverly Avenue, Jacksonville, Florida 32210, party of the first part, and TRIPLE NET EQUITIES, INC., a Florida corporation, the address for which is 10739 Deerwood Park Boulevard, Suite 300, Jacksonville, Florida 32256, party of the second part.

### WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten and No/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, and conveyed to the party of the second part, its successors and assigns forever, the following described lands, situate, lying and being in Duval County, Florida, to wit:

Lot 13 1/2, Block 26, ST. JOHNS PARK, a subdivision according to the plat thereof recorded in Plat Book 4, Page 33 revised in Plat Book 6, Page 22, of the Public Records of Duval County, Florida.

Real Estate Assessment No.: 069244-0000

SUBJECT TO covenants, restrictions and easements of record and taxes assessed subsequent to December 31, 2021; provided however, this reference will not serve to reimpose any such covenants, restrictions or easements.

And the party of the first part does hereby fully warrant the title to the property, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal as of the day and year first above written.

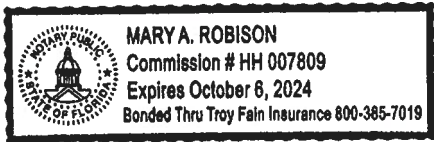
Signed and Sealed in  
Our Presence:  
Sign: [Signature]  
Print Name: Michael Stevenson

[Signature]  
ALAN KARL HIMMELREICH

Sign: [Signature]  
Print Name: Mary A Robison

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX]  physical presence or  online notarization, this 18 day of March, 2022, by ALAN KARL HIMMELREICH, [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION]  who is personally known to me or  who has produced a current FL (state) driver's license as identification.



Signature: [Signature]  
Printed Name: Mary A Robison  
NOTARY PUBLIC, State of Florida  
Commission Number: HH 007809

1291002

THIS DOCUMENT WAS PREPARED WITHOUT  
BENEFIT OF TITLE SEARCH OR SURVEY.

PREPARED BY AND RETURN TO:  
Mary A. Robison, Esquire (KDB)  
Fisher, Tousey, Leas & Ball, P.A.  
501 Riverside Avenue, Suite 600  
Jacksonville, Florida 32202

### **CORRECTIVE SPECIAL WARRANTY DEED**

THIS INDENTURE, made to be effective as of July 1, 2020, between TRIPLE NET EQUITIES, LTD., a Florida limited partnership, the address for which is 10739 Deerwood Park Boulevard, Suite 300, Jacksonville, Florida 32256, party of the first part, and TRIPLE NET EQUITIES, INC., a Florida corporation, the address for which is 10739 Deerwood Park Boulevard, Suite 300, Jacksonville, Florida 32256, party of the second part.

#### WITNESSETH:

WHEREAS, CORINNE L. HELLER conveyed to the party of the first part the real property more particularly described below (the "Property") by that certain Special Warranty Deed dated as of July 1, 2020, and recorded July 9, 2020, at Official Records Book 19271, Page 978 of the current public records of Duval County, Florida (the "Original Deed"); and

WHEREAS, the Property should have been conveyed to the party of the second part but, due to error, the Original Deed set forth the name of the grantee therein as the party of the first part rather than the party of the second part; and

WHEREAS, the party of the first part desires to clear up any cloud which may exist as to the title to the Property in the party of the second part by reason of such error, and to convey to the party of the second part the Property.

NOW THEREFORE, the party of the first part, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, and conveyed to the said party of the second part, its successors and assigns forever, the following described lands, situate, lying and being in Duval County, Florida, to wit:

Lot 13, Block 26, St. John's Park, a subdivision according to the plat thereof recorded in Plat Book 6, Pages 22, 22A and 22B, of the Public Records of Duval County, Florida.

Real Estate Assessment No.: 069243-0000

**NOTE TO CLERK: DOCUMENTARY STAMP TAXES IN THE AMOUNT OF \$.70 ARE BEING PAID IN CONNECTION WITH THE RECORDING OF THIS CORRECTIVE DEED.**

The purpose of this deed is to remove any cloud there may be on the title to the Property currently in the party of the second part by reason of the fact that the Original Deed incorrectly named the grantee thereof.

Subject to covenants, restrictions, easements, mortgages and all other encumbrances of record and taxes assessed subsequent to December 31, 2019; provided, however, this reference will not serve to reimpose any such covenants, restrictions or easements.

And the party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the party of the first part, but not otherwise.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal the day and year first above written.

Signed and Sealed in Our Presence:

TRIPLE NET EQUITIES, LTD., a Florida limited partnership  
By: Triple Net Equities, Inc., a Florida corporation, its General Partner

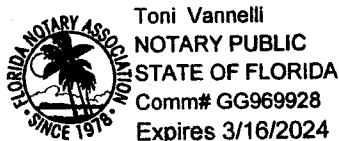
Sign: [Signature]  
Print Name: Amara O'Neal

By: [Signature]  
Carrie L. Manley, Vice President

Sign: [Signature]  
Print Name: Mike Timar

STATE OF FLORIDA  
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of [NOTARY MUST CHECK ONE BOX]  physical presence or  online notarization, this 4 day of Feb, 2021, by Carrie L. Manley, Vice President of Triple Net Equities, Inc., a Florida corporation, as General Partner of TRIPLE NET EQUITIES, LTD, a Florida limited partnership, on behalf of the corporation and partnership, [NOTARY MUST CHECK ONE BOX AND COMPLETE RELEVANT INFORMATION]  who is personally known to me or  who has produced a current \_\_\_\_\_ (state) driver's license as identification.



[Signature]  
Name: Toni Vannelli  
NOTARY PUBLIC, State of Florida  
Commission Number: GG969928

1136534



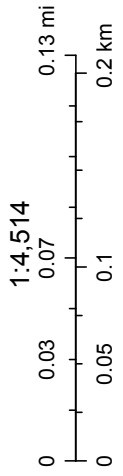
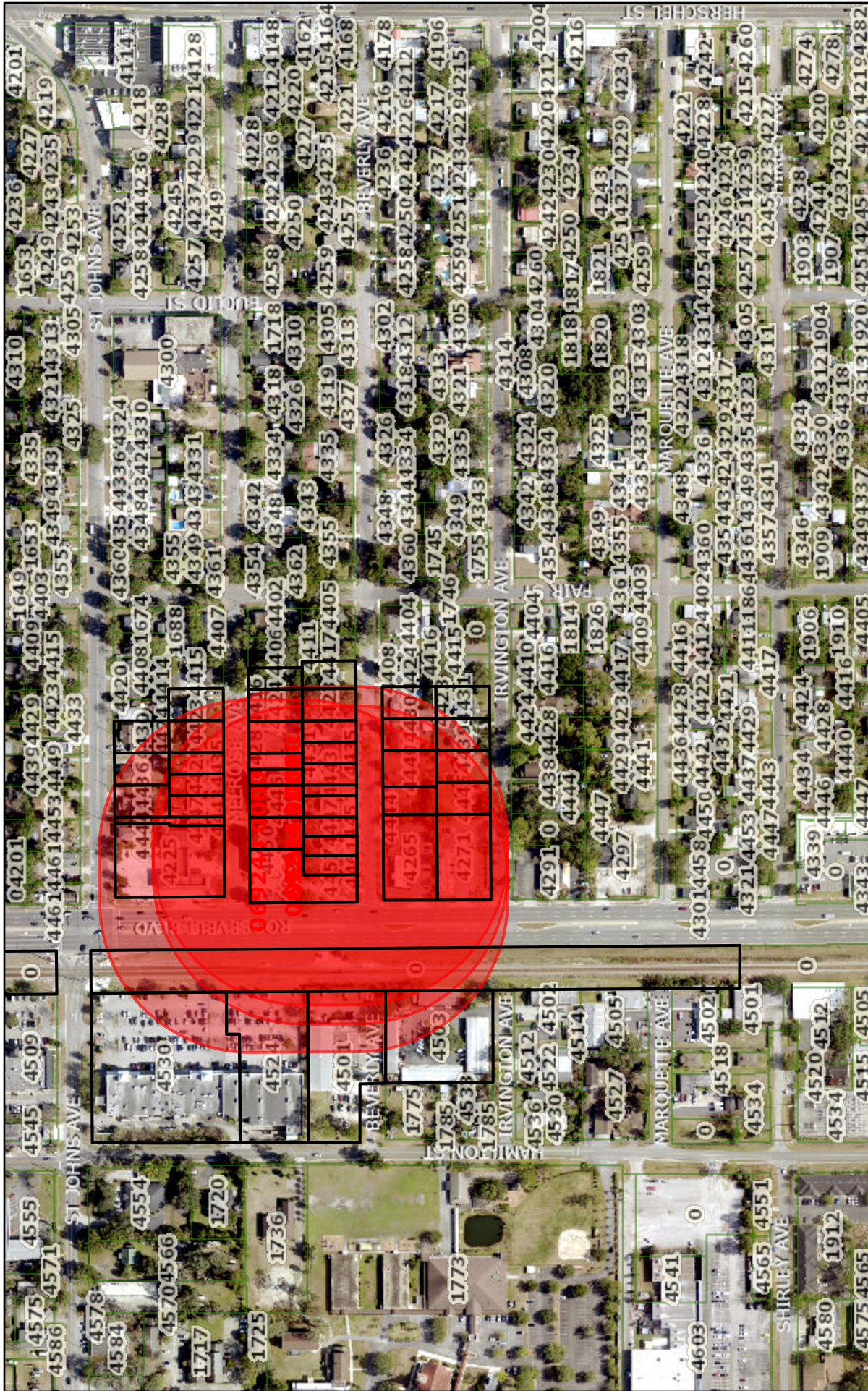








# Land Development Review



1:4,514

October 21, 2022

Parcels

RE	LNAME	LNAME2	MAIL_ADDR1	MAIL_CITY	MAIL_ZIP
069324 0010	4265 ROOSEVELT BLVD LLC		1283 PONTE VEDRA BLVD	PONTE VEDRA FL	32082
069330 0000	ALLESTERO HOLDINGS LLC		9484 STAPLEHURST CT	JACKSONVILLE FL	32244-8419
069204 0000	BACKES DAVID P		4430 ST JOHNS AVE	JACKSONVILLE FL	32210
069217 0000	BERGMANN DWAYNE JOHN		4423 MELROSE AVE	JACKSONVILLE FL	32210-2025
069205 0000	BIERCE CAROL H		1624 CHERRY ST	JACKSONVILLE FL	32205-8217
069230 0000	BROOKS BUILDING SOLUTIONS INC		4501 BEVERLY AVE	JACKSONVILLE FL	32210
069252 0000	BRYANT MARY ANN		4417 BEVERLY AVE	JACKSONVILLE FL	32210
069504 2000	C S X TRANSPORTATION INC		500 WATER ST STE 800	JACKSONVILLE FL	32202
069336 0000	CUSTOM IRVINGTON LLC		1942 HAMILTON ST	JACKSONVILLE FL	32210
069215 0000	COLEMAN JANICE S		4435 MELROSE AVE	JACKSONVILLE FL	32205
069245 0000	DAVIS BRYAN H LIFE ESTATE		4451 BEVERLY AVE	JACKSONVILLE FL	32210-2017
069328 0005	EAST COAST WAFFLES INC		5986 FINANCIAL DR	NORCROSS GA	30071
069246 0000	EUBANKS JAMES BRADLEY		4447 BEVERLY AV	JACKSONVILLE FL	32210
069208 0010	FIRST COAST ENERGY L P		7014 A C SKINNER PKWY STE 290	JACKSONVILLE FL	32256-6940
069323 0060	GARVIN TERESA J		7203 BALBOA RD	JACKSONVILLE FL	32217-3249
069248 0000	GASSETT CHARLOTTE KATHLEEN ET AL		4443 BEVERLY AVE	JACKSONVILLE FL	32210
069206 0025	HART CARLOS C		4447 MELROSE AVE	JACKSONVILLE FL	32210
069233 0000	HERBERTSON KATHRYN		4416 MELROSE AVE	JACKSONVILLE FL	32210-2026
069322 0000	HINKA ANITA M		4430 BEVERLY AVE	JACKSONVILLE FL	32210-2018
069321 0000	HOOPER JON LIFE ESTATE		4424 BEVERLY AVE	JACKSONVILLE FL	32210
069250 0000	JARVIS MATTHEW		4431 BEVERLY AVE	JACKSONVILLE FL	32210
069237 1000	KAHRE JAMES L		4446 MELROSE AVE	JACKSONVILLE FL	32210-2026
069333 0000	KILDARE ENTERPRISES LLC		3131 ST JOHNS BLUFF RD S	JACKSONVILLE FL	32246
069234 0000	LI WEIGUANG		4424 MELROSE AVE	JACKSONVILLE FL	32210-2026
069236 0000	MAHAN AMANDA		4440 MELROSE AVE	JACKSONVILLE FL	32210
069206 0000	MILLS MICHAEL A		4444 ST JOHNS AVE	JACKSONVILLE FL	32210
069323 0000	NASH GORDON CLIFFOR IV		4440 BEVERLY AVE	JACKSONVILLE FL	32210
069238 0000	NETTLES JEREMY		4450 MELROSE AVE	JACKSONVILLE FL	32210
069249 0000	NIRSCHER CLINTON XAVIER		4435 BEVERLY AVE	JACKSONVILLE FL	32210
069237 0000	OYLER ADAM		4436 MELROSE AVE	JACKSONVILLE FL	32210-2026
069247 0000	PARKER LEE M		4445 BEVERLY AVE	JACKSONVILLE FL	32210
069331 0000	PENDLETON ALEN R LIFE ESTATE		4439 IRVINGTON AVE	JACKSONVILLE FL	32210
069221 0000	RETAIL INVESTORS LLC		10739 DEERWOOD PARK BLVD STE 300	JACKSONVILLE FL	32256-4841
069229 0150	RETAIL PROPERTIES INC		10739 DEERWOOD PARK BLVD STE 300	JACKSONVILLE FL	32256-4841
069332 0000	SABIN JESSICA M		4431 IRVINGTON AVE	JACKSONVILLE FL	32210

069214 0000	STILLWELL WILLIAM MARK JR		4443 MELROSE AVE	JACKSONVILLE	FL	32210-2025
069251 0000	TERRY JEFFREY ARTHUR		4423 BEVERLY AVE	JACKSONVILLE	FL	32210
069235 0000	THOMPSON LESLIE		4428 MELROSE AVE	JACKSONVILLE	FL	32210
069239 0000	TRIPLE NET EQUITIES INC		10739 DEERWOOD PARK BLVD STE 300	JACKSONVILLE	FL	32256-4841
069216 0000	TRUST FOR CHILDREN FOR THE BENEFIT OF JULIAN ANDRE		14433 RUM KEG CT	JACKSONVILLE	FL	32224
	SOUTHWEST	DR. WILLIE CROSBY	6746 SHINDLER DR	JACKSONVILLE	FL	32222