

Date Submitted: 2/14/2024
Date Filed:

Application Number: SW-24-03
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: CCG-1	Current Land Use Category: CGC	
Council District: 14	Planning District: 4	
Previous Zoning Applications Filed (provide application numbers): AD-10-26		
Applicable Section of Ordinance Code: 656.1303(i)(2)		
Notice of Violation(s): /		
Neighborhood Associations: Argyle Area Civic Council		
Overlay: /		
LUZ Public Hearing Date:	City Council Public Hearing Date:	
Number of Signs to Post: 1	Amount of Fee:	Zoning Asst. Initials: CF

PROPERTY INFORMATION	
1. Complete Property Address: 7320 103rd Street, Jacksonville, FL 32210	2. Real Estate Number: 014518-0000
3. Land Area (Acres): 1.05	4. Date Lot was Recorded: 1/03/2023
5. Property Located Between Streets: Redstone Drive & Firestone 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 5 feet (less than 1 ft. may be granted administratively)

8. In whose name will the Waiver be granted?

Burger King Company, LLC

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:

Burger King Company, LLC

11. E-mail:

jjs@mjstokesconsulting.com

12. Address (including city, state, zip):

5707 Blue Lagoon Drive
Miami, FL 33126

13. Preferred Telephone:

813.724.4199

APPLICANT'S INFORMATION (if different from owner)

14. Name:

MJ Stokes Consulting, LLC

15. E-mail:

jjs@mjstokesconsulting.com

16. Address (including city, state, zip):

PO Box 22821
Tampa, FL 33622

17. Preferred Telephone:

607.725.3269

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?*

PLANNING AND DEVELOPMENT DEPARTMENT

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 request for waiver is based primarily on the sign being an existing pylon sign intended to remain associated to the proposed building improvement upgrades to the property. The requested reduction from 10-ft to 5-ft is due to the existing location of the sign and not a request to move or relocate closer to the property line/public right-of-way.

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>.
- Photographs of sign structure showing nonconforming nature and physical impediments to compliance.
- If waiver is based on economic hardship, applicant must submit the following:
 - Two (2) estimates from licensed contractors stating the cost of bringing the sign structure into compliance; and
 - Any other information the applicant wished to have considered in connection to the waiver request.

FILING FEES

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

<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

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

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) Burger King Company LLC

Print name: Vicente Tome, Manager

Signature: 

Applicant or Agent (if different than owner)

Print name: John J Stoeckel, P.E.

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

Property Ownership Affidavit – Limited Liability Company (LLC)

Date: 3/05/2024

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: 7320 103rd Street, Jacksonville, FL 32210 RE#(s): 014518-0000

To Whom it May Concern:

I Vicente Tome, as Manager of Burger King Company, LLC,
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 Administrative Deviation submitted to the Jacksonville Planning and Development
& Sign Waiver
Department.

(signature) *Vicente Tome*

(print name) Vicente Tome

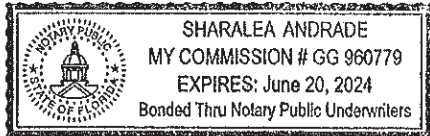
Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney,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

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ MIAMI-DADE

Sworn to and subscribed and acknowledged before me by means of physical presence or online notarization, this 11 day of March 2024, by Vicente Tome, as manager, of Burger King Company, a Florida corporation, who is personally known to me or who has produced _____ as identification and who took an oath.

Sharalea Andrade
(Signature of NOTARY PUBLIC)

Sharalea Andrade
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 6/20/24

Agent Authorization – Limited Liability Company (LLC)

Date: 3/05/2024

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: 7320 103rd Street, Jacksonville, FL 32210 RE#(s): 014518-0000

To Whom It May Concern:

You are hereby advised that Vicente Tome, as Manager of Burger King Company, LLC, hereby certify that the Burger King Company, LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers John J Stoeckel, PE (MJ Stokes Consulting, LLC) to act as agent to file application(s) for Administrative Deviation & Sign Waiver 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.

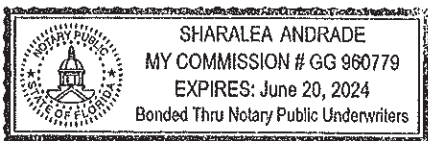
(signature) *[Handwritten Signature]*

(print name) Vicente Tome

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ MIAMI-DADE

Sworn to and subscribed and acknowledged before me by means of physical presence or online notarization, this 11 day of March 2024, by Vicente Tome, as Manager, of Burger King Company a Florida corporation, who is personally known to me or who has produced _____ as identification and who took an oath.

[Handwritten Signature]
(Signature of NOTARY PUBLIC)



Sharalea Andrade
(Printed name of NOTARY PUBLIC)

State of Florida at Large. 6/20/24
My commission expires: _____

THIS INSTRUMENT PREPARED BY:

Heileen Bell, Esq.
Burger King Corporation
5707 Blue Lagoon Drive
Miami, Florida 33126

RETURN TO:

Sher Garner Cahill Richter Klein & Hilbert, L.L.C.
Attn: Jonathan B. Cerise, Esq.
909 Poydras Street, Suite 2800
New Orleans, Louisiana 70112

Note to Recorder: This instrument is exempt from Florida documentary stamp taxes pursuant to F.S. Sections 201.02 and 201.0201 as a transfer from a parent corporation to its wholly owned subsidiary without any change in beneficial ownership.

WARRANTY DEED

This Warranty Deed made effective the 31ST day of August, 2022, by **BURGER KING CORPORATION**, a Florida corporation, hereinafter called the "Grantor," whose address is 5707 Blue Lagoon Drive, Miami, Florida 33126, to **BURGER KING COMPANY LLC**, a Florida limited liability company, hereinafter called the "Grantee," whose address is 5707 Blue Lagoon Drive, Miami, Florida 33126

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, all that certain land situate in Duval County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER with all the tenements, hereditaments, rights, ways, easements and appurtenances thereto belonging or in anywise appertaining, including, without limitation, any and all buildings and other improvements thereon.

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

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021, reservations, restrictions and easements of record, if any.

[signatures on following page(s)]

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

BURGER KING CORPORATION, a Florida corporation

Catherine Garcia
Print Name: Catherine Garcia
Witness

By: Michele Keusch
Michele Keusch, Assistant Secretary

Crystal Ramirez
Print Name: Crystal Ramirez
Witness

STATE OF FLORIDA)
) SS.
COUNTY OF MIAMI-DADE)

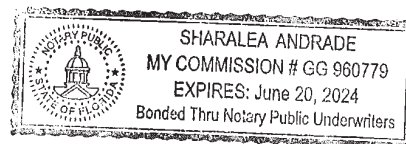
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 22 day of August, 2022, by Michele Keusch, as Assistant Secretary of Burger King Corporation, a Florida corporation, on behalf of the corporation.
Personally Known OR Produced Identification

Type of Identification Produced: N/A

Sharalea Andrade
(Signature of Notary Public)

(Print, Type, or Stamp Commissioned Name of Notary Public)

My Commission expires: _____



[Deed Signature Page for BK # 03616 - JACKSONVILLE, FL]

2023 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L22000043924

Entity Name: BURGER KING COMPANY LLC

Current Principal Place of Business:

5707 BLUE LAGOON DR
MIAMI, FL 33126

Current Mailing Address:

5707 BLUE LAGOON DR
MIAMI, FL 33126 US

FEI Number: 59-0787929

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

C T CORPORATION SYSTEM
1200S PINE ISLAND RD
PLANTATION, FL 33324 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	MGR	Title	MGR
Name	CURTIS IV, THOMAS B	Name	TOME, VICENTE
Address	5707 BLUE LAGOON DR	Address	5707 BLUE LAGOON DR
City-State-Zip:	MIAMI FL 33126	City-State-Zip:	MIAMI FL 33126
Title	MGR		
Name	KEUSCH, MICHELE		
Address	5707 BLUE LAGOON DR		
City-State-Zip:	MIAMI FL 33126		

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: MICHELE KEUSCH MANAGER 03/20/2023

Electronic Signature of Signing Authorized Person(s) Detail Date



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

Detail by Entity Name

Florida Limited Liability Company
BURGER KING COMPANY LLC

Filing Information

Document Number	L22000043924
FEI/EIN Number	59-0787929
Date Filed	02/04/2022
State	FL
Status	ACTIVE
Last Event	CORPORATE MERGER
Event Date Filed	12/22/2022
Event Effective Date	12/23/2022

Principal Address

5707 BLUE LAGOON DR
MIAMI, FL 33126

Mailing Address

5707 BLUE LAGOON DR
MIAMI, FL 33126

Registered Agent Name & Address

C T CORPORATION SYSTEM
1200S PINE ISLAND RD
PLANTATION, FL 33324

Authorized Person(s) Detail

Name & Address

Title MGR

CURTIS IV, THOMAS B
5707 BLUE LAGOON DR
MIAMI, FL 33126

Title MGR

TOME, VICENTE
5707 BLUE LAGOON DR
MIAMI, FL 33126

Title MGR

KEUSCH, MICHELE
5707 BLUE LAGOON DR
MIAMI, FL 33126

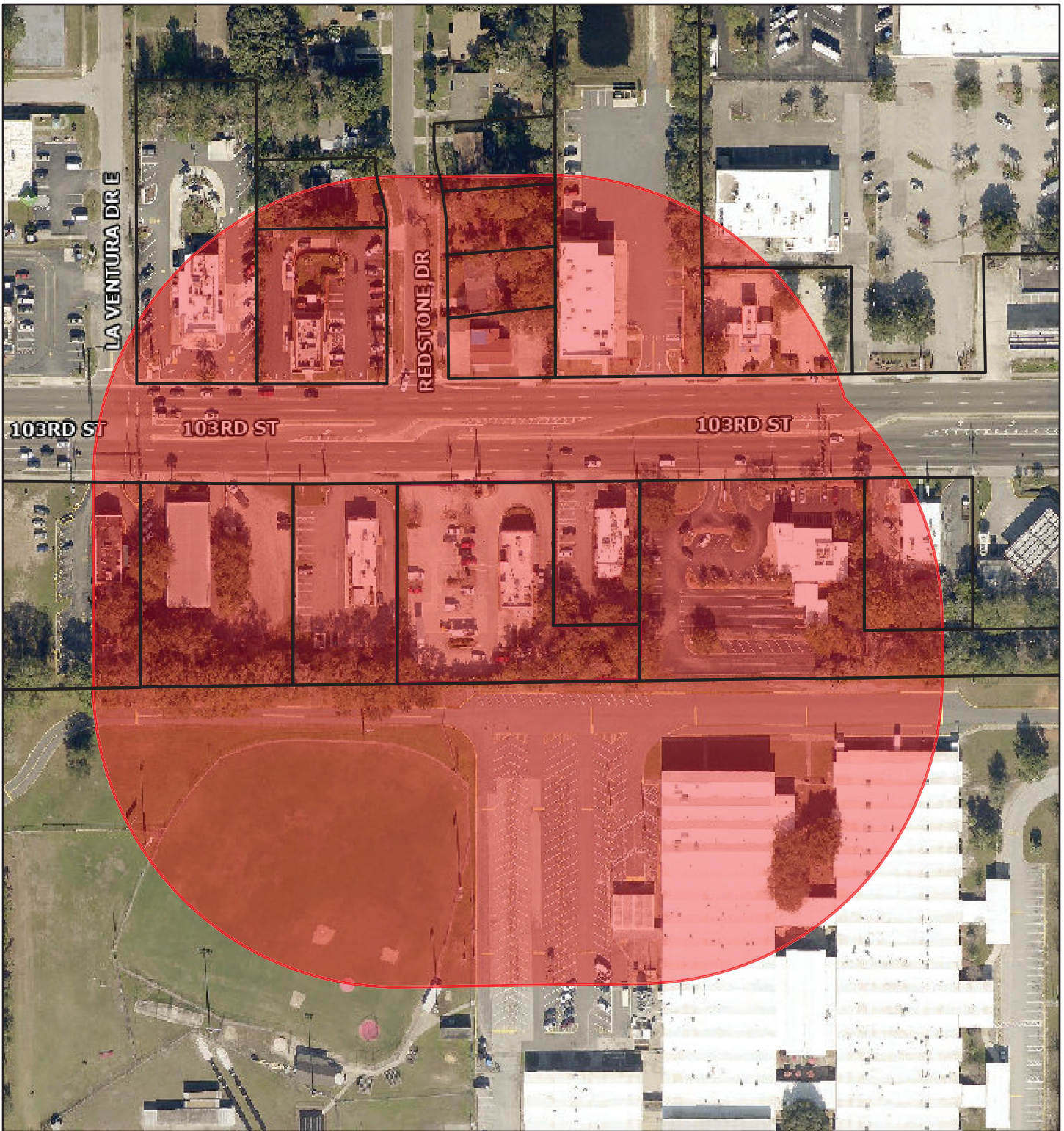
Annual Reports

Report Year	Filed Date
2023	03/20/2023


Document Images

03/20/2023 -- ANNUAL REPORT	View image in PDF format
12/22/2022 -- Merger	View image in PDF format
02/04/2022 -- Florida Limited Liability	View image in PDF format

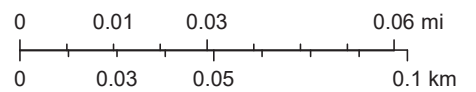
Land Development Review



January 23, 2024

 23115830_T-2024-5399

1:2,257



RE	LNAME	LNAME2	MAIL_ADDR1	MAIL_ADDR2	MAIL_ADDR3	MAIL_CITY	MAIL_STATE	MAIL_ZIP
013853 0000	103RD STREET BELLS LLC		520 D ST UNIT C			CLEARWATER	FL	33756
096367 0000	5313 REDSTONE DR PSJAX39 LLC		667 MADISON AVE FL 20			NEW YORK	NY	10065
014521 0010	ANDRADE MANUEL S TRUST		C/O JACKSONVILLE DONUTS INC	7328 103RD ST		JACKSONVILLE	FL	32210-6709
	ARGYLE AREA CIVIC COUNCIL	BILL LEWIS	8852 SOUTH IVYMILL PL			JACKSONVILLE	FL	32244
014518 0000	BURGER KING COMPANY LLC		C/O RYAN LLC	PO BOX 460189		HOUSTON	TX	77056
014517 0000	DHYEY REALESTATE LLC		295 CONSTANCE LN			ST AUGUSTINE	FL	32095
013861 0000	DISCOUNT MINI STORAGE OF JACKSONVILLE LLC		1893 THATCH PALM DR			BOCA RATON	FL	33432
014520 0000	DUVAL COUNTY SCHOOL BOARD		1701 PRUDENTIAL DR			JACKSONVILLE	FL	32207-8152
014521 0100	EAGLE AND TIGER LLC		7400 103RD STREET			JACKSONVILLE	FL	32210
013859 0100	HALLE PROPERTIES LLC		20225 N SCOTTSDALE RD			SCOTTSDALE	AZ	85255
096368 0000	JAD LEIZER		5426 BLANDING BLVD			JACKSONVILLE	FL	32244
013861 0010	JZS ENTERPRISES OF JAX INC		3881 REDS GATE LN			JACKSONVILLE	FL	32223
013852 0060	MCDONALDS RESTAURANTS OF FL INC		JTS ENTERPRISES OF TAMPA LTD/BLAKE CASPER	4908 W NASSAU ST		TAMPA	FL	33607
096365 0000	MINOTT VICTOR		6027 BLANK DR			JACKSONVILLE	FL	32244
014521 0000	NNN REIT LP		358 SAW MILL RIVER RD			MILLWOOD	NY	10546
014515 0000	RADIFI FEDERAL CREDIT UNION		562 PARK ST			JACKSONVILLE	FL	32204-2918
	SOUTHWEST	CHRISTINA PURDY	6008 LAKE COVE AV			JACKSONVILLE	FL	32222
014518 0010	THREE FOWLER INVESTMENTS LLC		139 SOUTHWEST DR			JONESBORO	AR	72401
	WEST JAX CIVIC ASSOCIATION	PAUL CARNEAL	886 CRESSWELL LN W			JACKSONVILLE	FL	32221
096366 0000	ZIEGENBEIN ALVA V TRUST		C/O ALVA V ZIEGENBEIN TRUSTEE	380 PERTSHIRE DR		ORANGE PARK	FL	32073-5770