

Application For Zoning Exception

Planning and Development Department Info

Application # E-22-71 **Staff Sign-Off/Date** BMF / 10/14/2022
Filing Date 10/20/2022 **Number of Signs to Post** 1
Current Land Use Category CGC
Exception Sought SEEKING TO REZONE THIS PARCEL TO CCG-1 TO ALLOW THE EXPANSION OF THE OWNERS RETAIL STORE LOCATED AT 5211 BLANDING BOULEVARD. THE RETAIL STORE IS A PAWN SHOP.
Applicable Section of Ordinance Code 656.313
Notice of Violation(s) N/A
Hearing Date 12/08/2022
Neighborhood Association N/A
Overlay N/A

Application Info

Tracking # 4510 **Application Status** PAID
Date Started 09/07/2022 **Date Submitted** 09/20/2022

General Information On Applicant

Last Name FARFORD **First Name** ANGELA **Middle Name**
Company Name
BIRCHFIELD AND HUMPHREY
Mailing Address
320 TOWN PLAZA AVENUE, SUITE 120
City PONTEVEDRA **State** FL **Zip Code** 32081
Phone 9043966625 **Fax** 904369 **Email** AFARFORD@BIRCHFIELDHUMPHREY.COM

General Information On Owner(s)

Last Name RUBENSTEIN **First Name** ERIC **Middle Name**
Company/Trust Name
ZKM HOLDINGS LLC
Mailing Address
5211 BLANDING BOULEVARD
City JACKSONVILLE **State** FL **Zip Code** 32210
Phone 9043337840 **Fax** **Email** ERICJAXXX@GMAIL.COM

Property Information

Previous Zoning Application Filed?
If Yes, State Application No(s)
4509

Map RE#	Council District	Planning District	Current Zoning District(s)
Map 097524 0000	9	4	CO

Ensure that RE# is a 10 digit number with a space (##### #)

Total Land Area (Nearest 1/100th of an Acre) 0.17

Current Property Use

SINGLE FAMILY RESIDENTIAL

Exception Sought

SEEKING TO REZONE THIS PARCEL TO CCG-1 TO ALLOW THE EXPANSION OF THE OWNERS RETAIL STORE LOCATED AT 5211 BLANDING BOULEVARD. THE RETAIL STORE IS A PAWN SHOP.

In Whose Name Will The Exception Be Granted

ZKM HOLDINGS, LLC

Location Of Property

General Location

BLANDING BOULEVARD

House #

6145

Street Name, Type and Direction

TRANSYLVANIA AVE

Zip Code

32210

Between Streets

BLANDING BOULEVARD

and

WESCONNETT BOULEVARD

Utility Services Provider

City Water/City Sewer Well/Septic City Water/Septic City Sewer/Well

Required Attachments

The following items must be attached to the application.

- Survey
- Site Plan
- 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, <https://paopropertysearch.coj.net/Basic/Search.aspx>, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <https://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

Supplemental Information

- Letter From DCFS, Department of Children and Family Services - day care uses only
- Advisory Opinion Letter From EQD, Environmental Quality Division

Criteria

Section 656.101(i), Ordinance Code, defines an exception as "a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to the number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare."

Section 656.131(c), Ordinance Code, provides that, with respect to action upon Applications for Zoning Exceptions, the Planning Commission may grant the exception if it finds from a preponderance of the evidence of record presented at the public hearing that the proposed use meets, to the extent applicable, the following standards and criteria:

(i) Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto.

THE PROPERTY IS LOCATED WITHIN THE CGC LAND USE DESIGNATION IN THE FUTURE LAND USE MAP, AND IS THEREFORE CONSISTENT WITH THE COMPREHENSIVE PLAN.

(ii) Will be compatible with the existing contiguous uses or zoning and compatible with the

general character of the area considering population, density, design, scale, and orientation of the structures to the area, property values and existing similar uses.

THE SURROUNDING, EXISTING CONTIGUOUS AREA USES AND ZONING ARE COMMERCIAL, ALLOWING FOR A VARIETY OF COMMERCIAL RETAIL USES. THE PROPOSED USE IS COMPATIBLE. THE PROPOSED USE WOULD BE AN ADDITION TO AN EXISTING PAWN RETAIL SHOP.

(iii) Will not have an environmental impact inconsistent with the health, safety and welfare of the community.

THE PROPOSED USE WILL NOT HAVE AN ENVIRONMENTAL IMPACT INCONSISTENT WITH THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

(iv) Will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, and will not result in the generation or creation of traffic inconsistent with health, safety and welfare of the community.

THE PROPOSED USE WILL NOT HAVE A DETRIMENTAL EFFECT ON VEHICULAR OR PEDESTRIAN TRAFFIC OR PARKING CONDITIONS, AND WILL NOT RESULT IN THE GENERATION OR CREATION OF TRAFFIC INCONSISTENT WITH HEALTH, SAFETY AND WELFARE OF THE COMMUNITY. THE PROPOSED USE WOULD EXPAND OFF-STREET PARKING. ANY INCREASE OF TRAFFIC, IF ANY, WOULD BE DE MINIMUS.

(v) Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto.

THE PROPOSED USE IS AN ALLOWABLE USE UNDER THE COMPREHENSIVE PLAN, AND IS THEREFORE, COMPATIBLE WITH THE FUTURE DEVELOPMENT OF CONTIGUOUS PROPERTIES. THE AREA IS BUILT-OUT AND THE CONTIGUOUS PROPERTIES ARE LARGELY COMMERCIAL OR OFFICE.

(vi) Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities taking into account existing uses or zoning in the vicinity.

THE PROPOSED USE WILL NOT RESULT IN THE CREATION OF OBJECTIONABLE OR EXCESSIVE NOISE, LIGHTS, VIBRATIONS, FUMES, ODORS, DUST OR PHYSICAL ACTIVITIES TAKING INTO ACCOUNT EXISTING USES OR ZONING IN THE VICINITY.

(vii) Will not overburden existing public services and facilities.

THE PROPOSED USE WILL NOT OVERBURDEN EXISTING PUBLIC SERVICES AND FACILITIES. THERE IS AN EXISTING SINGLE-FAMILY HOME ON THE PROPERTY SUBJECT TO THE APPLICATION. THERE IS NOT AN EXPECTED INCREASE IN THE USE OF THE PLUMBING AND ELECTRICAL SERVICES.

(viii) Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services.

THE PROPOSED USE WILL EXPAND PARKING ON THE PROPERTY, WHICH WILL ALLOW THE PROPERTY TO BE SUFFICIENTLY ACCESSIBLE TO FIRE, POLICE, RESCUE AND OTHER SERVICES.

(ix) Will be consistent with the definition of an exception, the standards and criteria of the zoning classification in which such use is proposed to be located and all other requirements for such particular use set for elsewhere in the Zoning Code (Chapter 656, Ordinance Code) or as otherwise adopted by the Planning Commission.

THE PROPOSED USE WOULD BE CONSISTENT WITH THE DEFINITION OF AN EXCEPTION. THE APPLICANT IS APPLYING TO REZONE THE PROPERTY TO CCG-1, TO ALLOW FOR THE EXPANSION OF THE RETAIL SPACE. THE APPLICANT IS NOT SEEKING A USE BEYOND THE EXPANSION OF THE EXISTING PAWN RETAIL BUSINESS ON 5211 BLANDING BOULEVARD. THE APPLICANT OPERATES UNDER A ZONING EXCEPTION UNDER SECTION 656.313, A.IV(C)(8), WHICH LIMITS INVENTORY TO ITEMS PERMITTED IN THE CCG-1 ZONING DISTRICT AND PROVIDED THAT NO OUTSIDE STORAGE OR DISPLAY OF PRODUCTS IS ALLOWED. THE APPLICANT WOULD CONTINUE TO COMPLY WITH THE CITY'S LAND DEVELOPMENT CODE.

Public Hearings

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 Planning Commission. 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.

Application Certification

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.

Agreed to and submitted

Filing Fee Information

1) Non-residential District Base Fee	\$1,173.00
2) Plus Notification Costs Per Addressee	
28 Notifications @ \$7.00/each:	\$196.00
3) Total Application Cost:	\$1,369.00

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

** The fee for the advertisement is in addition to the above fees. The newspaper will send the invoice directly to the applicant.

EXHIBIT A

Property Ownership Affidavit – Limited Liability Company (LLC)


Date: 09/08/2022

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: 6145 Transylvania Ave., Jacksonville, Florida 32210 RE#(s): 097524 0000

To Whom it May Concern:


I Eric Rubenstein, as Manager of ZKM Holdings, 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 Rezoning/Exception to Zoning submitted to the Jacksonville Planning and Development Department.

(signature) 
(print name) ERIC Rubinstein

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 8th day of September 2022, by Arye Eric Rubenstein, as Manager, of ZKM Holdings LLC, a Limited Liability Company, who is personally known to me or who has produced FLPL as identification and who took an oath.


(Signature of NOTARY PUBLIC)

William McClendon
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: 7/09/2023



William McClendon
State of Florida
My Commission Expires 07/09/2023
Commission No. GG 336062

EXHIBIT B

Agent Authorization – Limited Liability Company (LLC)


Date: 09/07/2022

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: 6145 Transylvania Avenue RE#(s): 097524-0000

To Whom It May Concern:

You are hereby advised that Eric Rubenstein, as Title Manager/Author of ZKM Holdings. 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. Said owner hereby authorizes and empowers Angela Farford to act as agent to file application(s) for Rezoning and Exception to Zoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) 
(print name) ERIC RUBENSTEIN

**STATE OF FLORIDA
COUNTY OF DUVAL**

Sworn to and subscribed and acknowledged before me this 8th day of September 2022, by Eric Rubenstein, as ZKM Holdings LLC, of Manager, a Limited Liability Company, who is personally known to me or who has produced FLDL as identification and who took an oath.


(Signature of NOTARY PUBLIC)

William McClendon
(Printed name of NOTARY PUBLIC)



William McClendon
State of Florida
My Commission Expires 07/09/2023
Commission No. GG 336062

State of Florida at Large.
My commission expires: 7/09/2023



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

Detail by Entity Name

Florida Limited Liability Company
ZKM HOLDINGS LLC

Filing Information

Document Number	L21000276883
FEI/EIN Number	N/A
Date Filed	06/15/2021
Effective Date	06/14/2021
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	10/07/2021
Event Effective Date	NONE

Principal Address

5211 BLANDING BLVD
JACKSONVILLE, FL 32210

Mailing Address

5211 BLANDING BLVD
JACKSONVILLE, FL 32210

Registered Agent Name & Address

POPLAVSKI, ZACHARIA
5211 BLANDING BLVD
JACKSONVILLE, FL 32210

Authorized Person(s) Detail

Name & Address

Title AMBR

ZACHARIA POPLAVSKI REVOCABLE TRUST
5211 BLANDING BLVD
JACKSONVILLE, FL 32210

Title Manager/Authorized Member

RUBINSTEIN, ARYE ERIC
5211 BLANDING BLVD
JACKSONVILLE, FL 32210

On File

THIS INSTRUMENT PREPARED BY AND RETURN TO:

Dale S. Wilson, P.A.
718 N Orange Avenue
Green Cove Springs, FL 32043
Our File No.: 2021-172

Property Appraisers Parcel Identification (Folio) Number: 097524-0000
Florida Documentary Stamps in the amount of \$266.00 have been paid hereon.

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS WARRANTY DEED, made the 24th day of February, 2022 by James D. Crowder, Trustee of the James D. Crowder Revocable Living Trust u/t/a dated June 28, 2005, whose post office address is 1323 Chason Rd, Green Cove Springs, FL 32043 herein called the Grantors, to ZKM Holdings LLC, a Florida Limited Liability Company, whose post office address is 5211 Blanding Blvd., Jacksonville, FL 32210, hereinafter called the Grantee: (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantors, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in ~~CLAY~~ DuVAL County, State of Florida, viz.:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to easements, restrictions and reservations of record and taxes for the year 2022 and thereafter.

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, the Grantors hereby covenant with said Grantee that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land, and hereby warrant 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.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Pamela J. Wilson
Witness #1 Signature

Pamela J. Wilson
Witness #1 Printed Name

Robin Estes
Witness #2 Signature

Robin Estes
Witness #2 Printed Name

James D. Crowder

James D. Crowder, Trustee of the James D. Crowder Revocable Living Trust u/t/a dated June 28, 2005

STATE OF FLORIDA COUNTY OF CLAY

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24th day of February, 2022, by James D. Crowder, Trustee of the James D. Crowder Revocable Living Trust u/t/a dated June 28, 2005, who is personally known to me or has produced FIA DRIVERS LICENSE as identification.

Pamela J. Wilson
Notary Public

Pamela J. Wilson
Printed Notary Name

My commission expires:

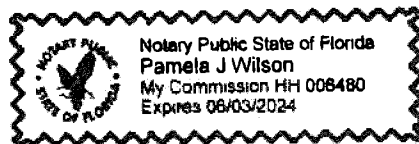
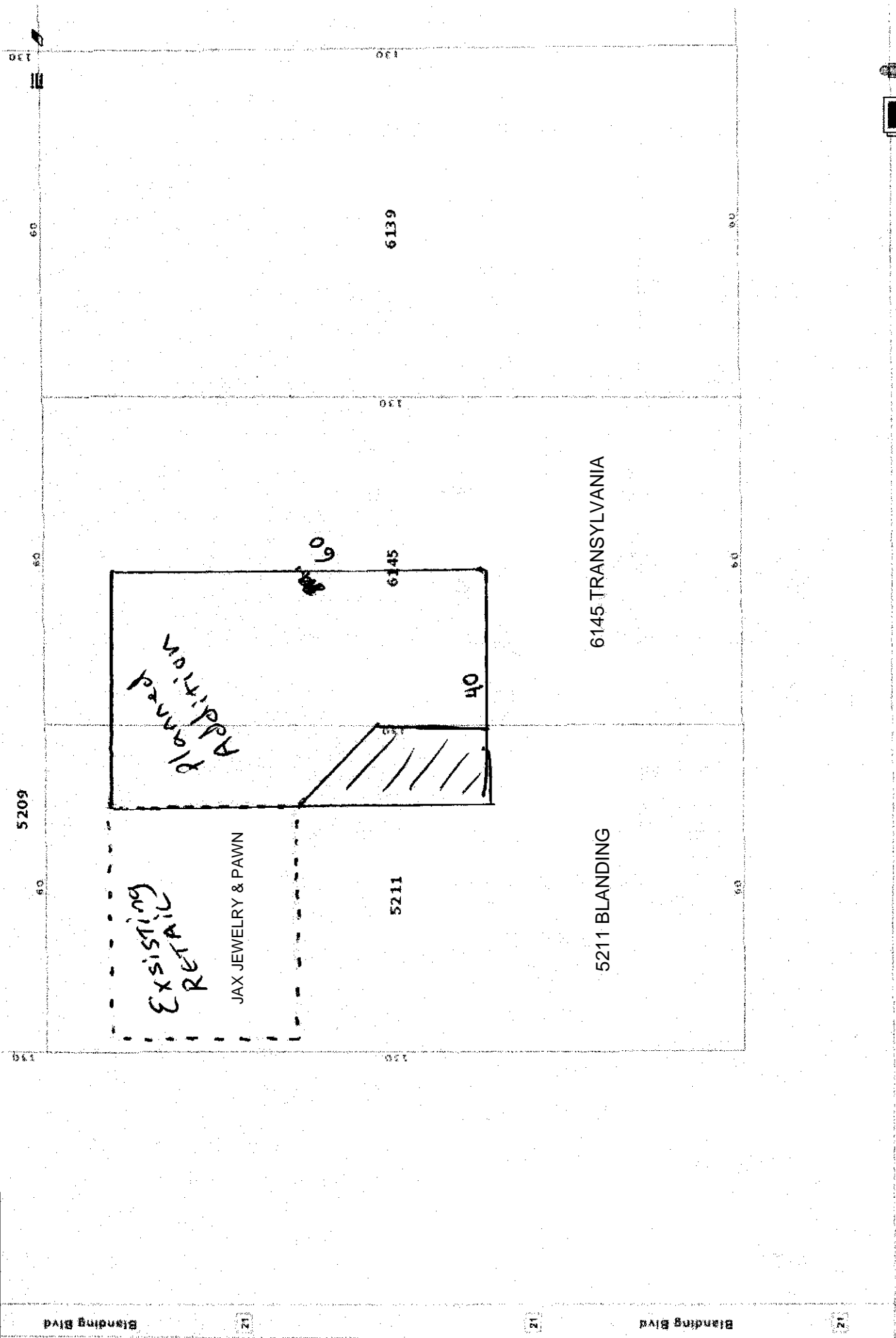


Exhibit "A"

Legal Description for File No.: 2021-172

Lot 35, Block 3, Lynnwood, according to the Plat thereof as recorded in Plat Book 18, Page 4, of the public records of Duval County, Florida.



RE	LNAME	LNAME2	MAIL_ADDR1	MAIL_ADDR2	MAIL_ADDR3	MAIL_CITY	MAIL_STATE	MAIL_ZIP
097523 0000	ARZP LLC		5211 BLANDING BLVD			JACKSONVILLE	FL	32210
097493 0000	AXTYA LLC		4446-1A HENDRICKS AVE STE 259			JACKSONVILLE	FL	32207
097531 0000	BOREE LEVI C		8721 KAYE LN			JACKSONVILLE	FL	32244
097497 0000	BRANTLEY KAROL L		C/O LAWRENCE BRANTLEY	6122 LYNNWOOD AVE		JACKSONVILLE	FL	32210
097498 0000	BRANTLEY LAWRENCE		6122 LYNNWOOD AVE			JACKSONVILLE	FL	32210-7817
097545 0005	BRYAN WALTER H JR FAMILY TRUST		PO BOX 6772			JACKSONVILLE	FL	32236
097530 0000	CALUBAQUIB ARNEL		737 EAGLE COVE DR			FLEMING ISLAND	FL	32003
097526 0000	CGL LLC		5309 BLANDING BLVD			JACKSONVILLE	FL	32210
097522 0000	CROWDER JAMES D TRUSTEE		1323 CHASON RD			GREEN COVE SPRINGS	FL	32043-8903
097496 0000	DRURY RONALD D		6134 LYNNWOOD AVE			JACKSONVILLE	FL	32210-7817
097464 0000	E2 HOLDINGS LLC		1652 EMERSON ST			JACKSONVILLE	FL	32207
097533 0000	HART SUSAN		6110 PENNSYLVANIA AV			JACKSONVILLE	FL	32210
097545 0010	JOMARA INVESTMENTS INC		745 W 18TH ST			HIALEAH	FL	33010
097462 0000	KBT CONTRACTING CORP		5105 BLANDING BLVD			JACKSONVILLE	FL	32210
097518 0000	KNOWLES KEVIN J		6111 PENNSYLVANIA AVE			JACKSONVILLE	FL	32210-7824
097529 0000	LOGUE JOHN		6134 PENNSYLVANIA AVE			JACKSONVILLE	FL	32210
097500 0000	LOTUS TRUST		21103 GRENOLA DR			CUPERTINO	CA	95014
097489 0000	MATCH MY HUSTLE ENTERPRISES LLC		5043 NORMANDY BLVD			JACKSONVILLE	FL	32205
097486 0000	MOSBY TED C		6117 LYNNWOOD AVE			JACKSONVILLE	FL	32210-7816
097499 0000	MULDER LIVING TRUST		9389 COXWELL LN			JACKSONVILLE	FL	32221-1382
097491 0000	NGUYEN BINH THANH		6466 SKYLER JEAN DR			JACKSONVILLE	FL	32224
097487 0000	PAN SEAN		261 N ABBOTT AVE			MILPITAS	CA	95035
097465 0000	PIKE ROY G		6128 HYRAM AVE			JACKSONVILLE	FL	32210-7814
097488 0000	SECKAR INVESTMENTS LLC		730 TRAIL ROCK CT			SIMI VALLEY	CA	93065
	SOUTHWEST	DR. WILLIE CROSBY	6746 SHINDLER DR			JACKSONVILLE	FL	32222
097639 0000	SSKIB CORP		C/O LRS CO DBA TSG REALTY	8650-12 OLD KINGS RD S		JACKSONVILLE	FL	32217
097463 0000	TIMMONS KEITH		5105 BLANDING BLVD			JACKSONVILLE	FL	32210
097549 0000	TYLIN HOLDINGS LLC		3623 BENEVA OAKS CIR			SARASOTA	FL	34238
097525 0000	ZKM HOLDINGS LLC		5211 BLANDING BLVD			JACKSONVILLE	FL	32210

Total: 28